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National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21*

Central African Republic

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Introduction

1. Pursuant to its second report, considered by the Human Rights Council at its seventeenth session in 2013, the Central African Republic submits the present report under the third universal periodic review cycle, in accordance with United Nations General Assembly resolution 60/251 of 15 March 2006 and the general guidelines of the Human Rights Council.

I. Process for the preparation of the report

2. This report was prepared via a participatory process, coordinated by the Ministry of Justice and Human Rights through the national committee in charge of human rights reports, comprising representatives of ministerial departments.

3. It took place in the following stages:

- Collection of information and drafting of the report by the national committee;
- Consideration of the report and its adoption by the Cabinet of the Ministry of Justice and Human Rights.

II. Evaluation of the normative framework and public policies for the promotion and protection of human rights

4. Since the submission of the second national report, the country has made progress in the area of the promotion and protection of human rights.

A. Normative framework for the protection and promotion of human rights

5. The analysis and review of the normative framework entails presenting, firstly, the international and regional legal instruments for the protection and protection of human rights ratified by the Central African Republic from the last report until 2018 and, secondly, the current state of national legislation covering the period indicated.

1. International and regional legal instruments for the promotion and protection of human rights ratified by the Central African Republic

- The Protocol relating to the Establishment of the Peace and Security Council of the African Union, ratified in 2016;
- The African Charter on the Rights and Welfare of the Child, of 7 July 2016;
- The Convention on the Prevention and Punishment of the Crime of Genocide, ratified in 2018.

2. Current status of national legislation for the promotion and protection of human rights

6. From 2013 to 2018, the Central African Republic adopted and implemented a number of texts at the national level in the field of the promotion and protection of human rights:

- The Transitional Constitutional Charter of 18 July 2013, in force until the adoption of the Constitution of 30 March 2016;
- Act No. 15.003 of 3 March 2015, on the establishment and operation of the Special Criminal Court;

- The Constitution of 30 March 2016, repealing the Transitional Constitutional Charter of 18 July 2013;
- Act No. 16.004 of 24 November 2016, establishing parity between men and women in public, semi-public and private-sector employment;
- Act No. 17.015 of 20 April 2017, establishing the National Commission on Human Rights and Fundamental Freedoms;
- Act No. 17.012 of 24 March 2017, establishing the Code of Military Justice;
- Act No. 17.017 of 24 April 2017, authorizing the ratification of the African Charter on Democracy, Elections and Governance, ratified in 2017;
- The Nairobi agreements of January 2015, on the cessation of hostilities between the former SELEKA and Anti-BALAKA;
- The Commitment Agreement of 23 April 2015, between the Government and politico-military groups;
- Decree No. 15.007 of 8 January 2015 on the establishment of a joint Unit for Rapid Intervention and Suppression of Sexual Violence against Women and Children (UMIRR);
- Decree No. 16.0087 of 16 February 2016, on the organization and operation of the country's prisons, determining their administration;
- Decree No. 16.0088 of 16 February 2016 on the redefinition of prison administration;
- Decree No. 16.089 of 16 February 2016, defining the uniforms, insignia and stripes of officials and uniformed staff of the prison service;
- Decree No. 16.0090 of 16 February 2016 on the model rules of procedure applicable to the country's prisons;
- Interministerial order No. 16/958 of 9 December 2016, amending and supplementing certain provisions of Order No. 16/003 of 29 February 2016, on the organization and functioning of UMIRR.

B. Institutional framework for the promotion and protection of human rights

7. Following the coup d'état of 24 March 2013, which ended the regime of General Bozizé, the Central African Republic has so far seen three successive regimes.

8. The first period was the first Transition led by Michel Djotodia, following the events of 24 March 2013.

9. Under pressure from all sides and following a Central African leaders' summit held in Djamena, Chad, Michel Djotodia was forced to resign on 10 January 2014.

10. The second Transition was headed by Catherine Samba Panza, elected Chairperson of the Transition on 20 January 2014. Her Government was mandated to stabilize the country and to organize elections, which led to Professor Faustin Archange Touadera taking office in March 2016; this marked the return to constitutional legality.

National institutions

11. The Constitution of 30 March 2016 established numerous institutions for the protection and promotion of human rights.

(a) Institutions established by the Constitution

- The Court of Cassation;
- The Council of State;

- The Court of Auditors;
- The Jurisdiction Disputes Court;
- The High Court;
- The Constitutional Court;
- The Economic and Social Council:
- The National Mediation Council;
- The High Communication Council;
- The National Elections Authority;
- The High Authority for Good Governance.

(b) Other institutions established by the Legislature

- The Special Criminal Court, which has been operational since 2013;
- The National Commission on Human Rights and Fundamental Freedoms, established in 2017.

(c) Human Rights NGOs

- Action des Chrétiens pour l'Abolition de la Torture (ACAT) (Action by Christians for the Abolition of Torture);
- Mouvement pour la Défense des Droits de l'Homme (MDDH) (Movement for the Defence of Human Rights);
- Ligue Centrafricaine des Droits de l'Homme (LCDH) (Central African Human Rights League);
- Organisation pour la Compassion et le Développement des Familles en Détresse (OCODEFAD) (Organization for Compassion and the Development of Families in Distress);
- Central African Human Rights Observatory (OCDH);
- Association des Femmes Juristes de Centrafrique (AFJC) (Association of Women Jurists of Central Africa);
- Association Centrafricaine de Lutte Contre la Violence (ACLV) (Central African Association against Violence);
- Commission Épiscopale Justice et Paix (CEJP) (Episcopal Commission for Justice and Peace);
- Observatoire pour la Promotion de l'Etat de Droit (OPED) (Observatory of the Promotion of the Rule of Law);
- Organisation des Femmes de Centrafrique (OFCA) (Central African Republic Women's Organization);
- Conseil National de la Jeunesse (CNJ) (National Youth Council);
- L'Observatoire Centrafricain des Élections et de la Démocratie (OCED) (Central African Observatory on Elections and Democracy).

(d) Trade unions

- Confédération Chrétienne des Travailleurs de Centrafrique (CCTC) (Christian Confederation of Central African Workers);
- Confédération Nationale des Travailleurs de Centrafrique (CNTC) (National Confederation of Central African Workers);
- Confédération Syndicale des Travailleurs de Centrafrique (CSTC) (Trade Union Confederation of Central African Workers);

- Organisation des Syndicats Libres des Secteurs Publics, Parapublics et Privés (OSLP) Organization of free trade unions of the public, semi-public and private sectors;
- Union Générale des Travailleurs de Centrafrique (UGTC) (General Union of Central African Workers);
- Union Syndicale des Travailleurs de Centrafrique (USTC) (Trade Union Federation of Central African Workers.

(e) Partners

- United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA);
- UNDP;
- UN Women,
- UNICEF;
- UNFPA;
- WHO;
- UNHCR;
- IOM.

C. Public policy for the promotion and protection of human rights

12. As part of the implementation of human rights policies, the Constitution of 30 March 2016 reaffirms its commitment to the protection and promotion of human rights.

13. The Government has adopted various policy measures and conducted a number of general and sectoral actions.

14. With regard to policy measures covering the period specified, the following should be recalled, inter alia:

- The Poverty Reduction Strategy Paper II (2011–2015);
- The National Pact for Justice Reform;
- National defence policy;
- The United Nations Development Assistance Framework, in partnership with the Central African Government (UNDAF+ 2021–2016);
- The Emergency Programme for Sustainable Recovery 2014–2016;
- The Bangui National Forum (2015);
- The National Recovery and Peacebuilding Plan 2017–2021;
- The National Education Sector Strategy for the period 2008–2020;
- The Transition Plan 2014–2017;
- The Country Programme for the Promotion of Decent Work (PPTD) for the period 2013–2016;
- National social protection policy;
- The National Policy for the Protection of Children, at the validation stage;
- The National Strategic Plan for Housing, at the validation stage.

III. Promotion and protection of human rights

A. Fulfilment of international obligations

15. In paragraph 17 of the preamble to the Constitution of 30 March 2016, the Central African Republic reaffirms its commitment to all international Conventions duly ratified or approved, which have higher authority than national laws. The human rights treaties and agreements that the country has ratified form part of its domestic legal system and are invoked by citizens and applied by national courts or institutions (art.94). Laws and regulations are also adopted in order to bring national legislation into conformity with international standards. The Central African Republic also implements the decisions of international human rights mechanisms.

B. Human rights education and awareness-raising

16. The Government has encouraged human rights NGOs to establish themselves and develop a human rights culture. On 10 December of every year since 2013, those NGOs have conducted awareness-raising activities for young people in their schools and have organized radio and television debates and even communiqués in the press.

17. The Bangui Forum in April 2015 made a strong recommendation that human rights education should be included in curricula of secondary and tertiary education. The purpose of this is to instil values of citizenship, peace and tolerance in pupils and students, as well as the population as a whole.

18. In addition, the network of private journalists is encouraged to develop the same values in their columns.

C. Efforts to protect and defend human rights

19. The Government has taken steps to ensure the effective enjoyment of rights by members of the population.

20. Persons who claim that their human rights have been infringed receive counselling and guidance. Several ministerial departments have counselling and guidance centres that provide people with quality advice and information regarding their rights, to remedy the information deficit on citizens' rights and the procedures for availing themselves of them. These services are provided free of charge.

21. In order to inform those concerned of how to exercise their rights and the procedures for doing so before the courts, there are plans to organize annual open days on the justice system. During these open days, legal consultations will be offered by the various actors involved in the justice chain to defendants, for assigning responsibility and assisting the victims of armed conflicts and of rights violations of various types. In this context, the Government has established the Special Criminal Court (CPS), whose hearings will begin in the coming months.

22. Similarly, the Association des Femmes Juristes de Centrafrique (Association of Women Jurists of Central Africa), an NGO which promotes and protects human rights, has established an outreach clinic to counsel victims of sexual violence and refer them to appropriate courts.

D. Cooperation with human rights mechanisms

23. ,Cooperation with human rights mechanisms takes the form of responses to requests for information on special procedures. Following the initial and cumulative report of 2013, the Central African Republic has undertaken to submit its reports to treaty bodies regularly and to implement the recommendations of the Human Rights Council. It intends to

participate fully and periodically in the sessions of the Council and other international, regional and subregional forums.

VI. Implementation of recommendations and challenges faced

A. Implementation of accepted recommendations

Response to recommendations on the right to life (104.32)

24. Article 1 of the Constitution of 30 March 2016 focuses closely on respect for life and protection of the human person: "**the human person is sacred and inviolable. All public officials and all organizations have an absolute obligation to respect it**."

25. Article 3 of the Constitution clearly states that "everyone has the right to life and bodily integrity ..."

26. The Central African Republic, considering life and the security of the human person to be sacred, criminalizes and penalizes any act aimed at violating them, through the provisions of the new Criminal Code, adopted in 2010.

27. The establishment of the Ministry of Justice and Human Rights and the related courts and tribunals is the means of protecting the right to life and the security of the person.

28. A very significant step forward is the creation of the Special Criminal Court, which is already operational.

29. In addition to the efforts made by the Government, several organizations for the defence and protection of human rights are working to protect the right to life and the human person. Some victims have also formed an association to obtain justice and redress for the harm suffered.

Response to the recommendation on the abolition of the death penalty (104.8, 104.10)

30. The death penalty has not yet been abolished in the Central African Republic. The first step towards its abolition is already in effect, with the adoption in 2017 of the Code of Military Justice, the terms of which do not provide for the death penalty. For several years, judges have no longer imposed the death penalty in criminal trials.

31. The fact remains that, with the return to constitutional legality, the new authorities have committed to restart the process to abolish the death penalty through the revision of the provisions of the Criminal Code.

Response to the recommendations relating to combating impunity (104.30, 104.31, 104.48, 104.49, 104.50, 104.51, 104.52, 104.53, 104.54, 104.55, 104.56, 104.57, 104.58)

32. Punishing serious crimes is vital for lasting peace and true reconciliation in the Central African Republic.

33. The Government's commitment in this regard means that those responsible for war crimes and crimes against humanity, committed for years in the country's territory, must be brought to justice.

34. The perpetrators of these crimes must be subject to fair and just trials in order not only to bring justice to the victims of all these atrocities, but also to prevent new crimes and, above all, to allow the country's people to look forward confidently to the national reconciliation that they wish for so strongly.

35. A number of tools have been developed and implemented by the Government in this respect:

- The establishment of the Special Criminal Court by Act No. 15.003 of 30 June 2015;
- The adoption of Act No. 17.012 of 24 March 2017 establishing the Code of Military Justice;

- The creation of the National Commission on Human Rights and Fundamental Freedoms by Act No. 17.015 of 20 April 2017.

36. The establishment of the joint rapid response unit to combat violence against women and children by Decree No. 15.007 of 8 January 2015.

Response to the recommendations on human rights defenders (104.73)

37. Having adhered to the United Nations Declaration on Human Rights Defenders, the Central African Republic guarantees, in the Constitution of 30 March 2016, the right and freedom of association for all citizens without distinction, including organizations for the defence and protection of human rights. To further strengthen the rights of human rights defenders, the Government is working on a draft law on their protection throughout the country.

Response to recommendations on elections and the restoration of constitutional order (104.7, 105.45, 105.20)

38. To clearly mark the end the Transition (24 March 2013 to 30 March 2016), the Central African Republic, with the support and cooperation of the international community, held free and democratic elections in 2016, in which new authorities were elected.

39. The adoption of the basic law, including the Constitution of 30 March 2016, definitively marked the return to constitutional legality in the country.

Response to recommendations on the right to education in general and the education of children with disabilities (104.83, 104.84, 104.85, 104.90, 104.86, 104.8, 104.88 104.89, 104.91, 104.89, 104.91)

40. The Central African Republic has ratified a number of international instruments on the right to education. This right has always been at the heart of the concerns of the various successive authorities at the head of the State.

- The current Constitution enshrines the right to education on the same basis as all previous basic laws. Article 9 of the Constitution states that "everyone has the right to access sources of knowledge. The State guarantees access to education, culture and vocational training for every citizen."

  The various laws and policy measures implemented earlier in the field of education are still valid.

- The new authorities are working tirelessly to implement the Sustainable Development Goals, particularly Goal 4, relating to the right to education: "**Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all**";

  The Central African Republic fully endorses the concerns expressed in the Sustainable Development Goals.

- The poverty reduction strategy document (PRSP I and II) 2010–2015 is one of the policy measures taken in the framework of the implementation of the right to education, through which the Government is committed to ensuring comprehensive education coverage and quality education for all children, regardless of their gender or place of residence;

- The Emergency Programme for Sustainable Recovery 2014–2016, adopted in July 2014 by the Transitional Government, placed special emphasis on education, in particular through: early childhood development; the consolidation of universal primary schooling; increased availability and quality at other levels of education; the development of literacy programmes; the development of short vocational training courses; the professionalization of the various streams of higher education and the effective implementation of the bachelor's, master's and doctorate reform;

- The adoption in 2014 by the Ministry of Education and Technical Training of the Roadmap for Transition led to the development for 2015–2017 of the opportunity

for all school-age children to attend school, actions to encourage school enrolment for girls and to reduce dropout rates, support for vocational training schools in a spirit of entrepreneurship and a commitment to train 500 teachers (250 for each regional teacher-training college) for at least three years through the GPE fund;

- The UNDAF Plan of Action 2012–2016, the United Nations Development Assistance Framework to consolidate peace in the Central African Republic, aimed to support and assist the Government in the areas of education and literacy, particularly for girls and the most vulnerable levels of society, to achieve quality basic education;
- The Ministry of Education and Technical Training has a transition plan for 2014–2017;
- In 2016, through the National Plan for Recovery and Peace-building 2017–2021, the Government committed to deliver basic services to the population throughout the country, particularly in educational areas;
- For the year 2016–2017, the country has created a statistical yearbook, compiled by the Ministry of Primary, Secondary and Technical Education and Literacy.

41. Regarding the situation of persons with disabilities:

- Pupils and students with disabilities attend primary, secondary and university institutions without discrimination;
- There is only one public centre for education and vocational training for students with sensory disabilities (deaf-mute or blind). This centre provides general education and vocational training but for the moment, its graduates have no opportunity to continue their studies beyond basic-2, owing to a lack of specialized teachers;
- There is no specialized centre for children with mental disabilities. The few rehabilitation centres for persons with motor disabilities, which exist in some of the country's towns and in Bangui, are mainly run by charitable organizations;
- In the area of vocational training, there is unfortunately no institution that could provide technical and vocational rehabilitation programmes for pupils and students with disabilities.

Response to the recommendation on the right to health (104.78, 104.79, 104.80, 104.81, 104.82, 105.42)

42. Since the submission of the previous report, the Central African Republic has taken various steps to operationalize the implementation of the right to health.

43. **The Constitution of 30 March 2016, article 8, provides that "the State has a duty to ensure the physical and mental health of the family".**

44. A variety of actions have been undertaken by the new authorities in the area of health, including the following:

- The continued implementation of the National Health Development Plan (2006–2015);
- The continued implementation of an operational plan to accelerate the reduction in maternal and neonatal mortality;
- The design and implementation of a programme to prevent parent-to-child transmission of HIV/AIDS;
- The drafting of a national policy document on health and reproduction and a plan of action for its implementation;
- The development of the Health Sector Transition Plan (2015–2017) as an interim policy document pending the preparation of the National Health Development Plan III;

- The design of "HERAMS 2014–2016" (Health Resource Availability Mapping System), a document presenting the mapping and availability of the supply of care and of health services and the resources involved;
- The design of the Strategic Human Resources Development Plan for Health 2017–2021;
- The design of the plan for construction, rehabilitation and equipment of health structures 2017–2027;
- The development of the strategy document of the Health Information System (SIS).

Reply to the recommendations on the protection of women against all forms of violence (104.36, 104.37, 104.38, 104.39, 104.40, 105.12, 105.13, 105.14, 105.15, 105.16, 105.17, 105.19)

45. Since the previous report, the protection of women has become a priority and a matter of concern for the new authorities. The provisions of the new Constitution and of the Criminal Code guarantee protection to this vulnerable category against all forms of violence to which they may be subjected.

46. As a result of that commitment, the Government has made a number of efforts:

47. With regard to legal instruments:

- The establishment of the Special Criminal Court by Act No. 15.003 of 30 June 2015;
- The adoption of Act No. 17.012 of 24 March 2017 establishing the Code of Military Justice;
- The creation of the National Commission on Human Rights and Fundamental Freedoms by Act No. 17.015 of 20 April 2017;
- The establishment of the Unit for Rapid Intervention and Suppression of Sexual Violence against Women and Children (UMIRR), by Decree No. 15.007 of 8 January 2015;
- The adoption of Act No. 16.004 of 24 November 2016, establishing parity between men and women in public, semi-public and private-sector employment;
- Beginning of the process of revision of the Civil Code.

48. Regarding health care for women and adolescent girls, a plan has been created to accelerate the reduction of neonatal mortality, covering the period from 2004 to 2015.

49. Over that same period, awareness-raising campaigns on gender-based violence, combating impunity and respect for human rights have been organized in a number of provincial towns.

50. The observance of commemorative days in honour of women also demonstrates the Government's determination to protect and promote the rights of women throughout the country:

- Celebration of International Women's Day (8 March);
- World Rural Women's Day, celebrated on 15 October every year;
- International Widows' Day, on 23 June every year;
- International Day of Zero Tolerance for Female Genital Mutilation, 6 February;
- International Day of the Midwife, 5 May of each year.

51. Several training, awareness-raising and information workshops were organized by partners, especially the Human Rights Division of MINUSCA, on the subject of ownership of issues of violence against women and gender-based violence against different actors.

Reply to the recommendations on combating female genital mutilation and other harmful traditional practices (104.41, 104.42)

52. Although the provisions of the Penal Code of 2010 penalize such acts, the Central African Republic faces several types of sociocultural practices of which women are the victims, particularly female genital mutilation and certain traditional practices.

53. Since most victims never bring such practices to court, it is difficult to produce statistical data. In 2017, the ministry responsible for the advancement of women established certain mechanisms to combat female genital mutilation and all traditional practices.

Reply to the recommendations relating to the promotion of gender equality, parity and gender (104.27)

Equality and non-discrimination

54. Under the Constitution of 30 March 2016, the principles of non-discrimination and equality are the foundation of national unity, peace and social cohesion.

55. All laws and regulations adopted by the authorities since the previous report have strictly prohibited discrimination and asserted the equality of all citizens in all areas, political, economic, social, cultural and educational.

56. The State makes no distinction or discrimination among citizens whether:

- In the realm of public or private employment;
- In participation in elections;
- In election or appointment to various positions of responsibility.

57. Regarding women as well as minorities, there is no law that prevents them from participating in political life on equal terms with men or non-minority citizens. Nonetheless, there are factors and sociocultural constraints that hinder the implementation of these fundamental rights, despite the ratification by the Government of ILO Convention No. 169.

58. In the framework of promotion of equality, parity and gender. The Government's political will in this regard is amply evidenced by Act No. 16.004 of 24 November 2016, establishing gender parity in public, semi-public and private-sector employment. The Act strengthens the legal provisions and existing policies in this area.

Response to recommendations relating to child soldiers (105.22, 105.23, 105.24, 103.25, 105.26, 105.27, 105.28, 105.29, 105.30, 105.31, 105.32, 105.33, 105.34, 105.35 105.36, 105.37)

59. Since 2012, the Central African Republic has been facing armed conflict affecting thousands of children recruited and involved in crimes committed by armed groups.

60. On 21 September 2017, the Government ratified the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict.

61. By ratifying the Optional Protocol, the Government undertook to take all legislative and regulatory measures to:

- Prohibit and punish the perpetrators of the recruitment and use of children in armed conflict;
- Recognize such children as victims and not as perpetrators of crimes and offences committed under the influence of these armed groups, in accordance with the Paris Principles (2007), to which the Central African Republic is a party.

62. Since June 2018, the Government has undertaken a procedure to protect and discharge children brought before the courts, in accordance with the Paris Principles and other international protocols to which the country has adhered.

63. A rapid response team has been established within the Department of Child Protection, with UNICEF support, through a programme for the reintegration of children involved in conflicts.

Response to recommendations relating to internally displaced persons (104.77, 104.92, 104.93)

64. To date, the situation of internally displaced persons and refugees is alarming and highly concerning, with the occupation of almost all provincial towns by irregular armed groups consisting mostly of foreign mercenaries.

65. Regarding the statistical data provided by the Ministry of Humanitarian Action and National Reconciliation through the project to support the return and integration of internally displaced persons, the number of internally displaced persons between April and May 2018 is estimated to be 669,997 persons, of whom 262,366 are distributed among 77 sites throughout the country and 407,631 in host families. As for the situation of their property, including homes and illegally occupied land, a procedure is being developed by the Ministry of Housing, with the support of the international community.

Response to the recommendation on the establishment of a national human rights institution (105.72, 105.73, 105.74, 105.75, 105.76, 105.77)

66. In accordance with the Paris Principles relating to national human rights institutions, the Central African Republic has established a national commission on human rights and fundamental freedoms, under Act No. 17.015 of 20 April 2017.

67. This body is now operational.

Response to the recommendations concerning the rights of victims to redress and compensation (104.34, 104.35, 104.36)

68. The various conflicts affecting the country have caused considerable harm and damage. The victims vary from one situation to another. Since the events of 2013, the number of victims has constantly increased. By a decree of 11 February 2017, in the face of such situations, the Government established the Truth, Justice, Reparation and National Reconciliation Commission (CVJRRN) so that comprehensive justice can be done, taking into account the harm suffered by victims and especially its reparation and, above all, reconciliation among citizens. Details on this Commission are discussed further in the context of transitional justice.

Reply to the recommendations concerning legal reforms (104.65, 104.85, 104.86, 105.7, 105.8, 105.9, 105.21)

69. Since 2013, in order to comply with its international obligations and effectively to address human rights violations, the Government has undertaken a number of legal reforms, including:

- The adoption of the Code of Military Justice (Act No. 17.012 of 24 March 2017);
- The adoption of the law establishing parity between men and women in public, semi-public and private employment (Act No. 16.004 of 24 November 2016);
- The beginning of the process to revise the Civil Code.

Response to the recommendations concerning the reform and strengthening of the judiciary and prison administration (104.28, 104.47, 104.59, 104.60, 104.63, 105.18)

70. Punishing such serious crimes is vital for lasting peace and true reconciliation in the Central African Republic.

71. The Government's resolve entails the obligation to prosecute those responsible for war crimes and crimes against humanity committed for many years in the country's territory.

72. The perpetrators of these crimes must be subject to fair and just trials in order not only to bring justice to the victims of all these atrocities, but also to prevent the commission of new crimes.

73. A number of tools have been developed and implemented by the Government in this respect:

Operationalization of the Special Criminal Court (CPS)

74. Given the security context, which makes it particularly difficult to investigate complex crimes involving still-active armed groups, and with particular regard to the limited capacity of the country's judicial system, the Government chose, in June 2015, to establish the Special Criminal Court, a hybrid national jurisdiction, to prosecute the perpetrators, co-perpetrators and accomplices of the serious human rights violations committed in the country's territory since 2003.

75. To date, there has been significant progress in the operationalization of the Special Criminal Court:

- Appointment, since February 2017, of international and national judges to prosecuting bodies, investigating offices and indictment chambers;
- In August 2017, appointment of court clerks and secretaries to prosecution offices;
- Appointment in February 2018 of the members of the Special Unit of the Judicial Police of the PSC;
- Adoption by the National Assembly on 29 May 2018 of the Act on the rules of evidence and procedure of the PSC and the single procedural code, taking into account its character as a hybrid court and the rules of international law.

Redeployment of the judiciary and resumption of jurisdictional activities

76. Despite the difficult security situation, the Justice Department, in the framework of its plan of action and with support from MINUSCA, is working to redeploy all judges and other judicial actors into their home jurisdictions throughout the country's territory.

77. Furthermore, jurisdictional activities have increasingly resumed at the country's three courts of appeal through the organization of various criminal sessions.

Promotion of discipline in the armed forces and guaranteeing the rights of victims by giving them the opportunity to become plaintiffs

78. To this end, the Government has provided the country with the Code of Military Justice, through an Act promulgated on 6 March 2017.

Reform of prison administration

79. This reform is particularly characterized by a prison system which is demilitarized, professional, under civilian control, respectful of international human rights standards and oriented towards the social reintegration of inmates.

80. The basic principles had been established under Act No. 12.003 of 12 April 2012, the purpose of which is progressively to make prison infrastructure comply with standards and the humanization of conditions of detention.

81. This reform is particularly characterized by the following acts:

- Establishment of a series of bodies of civil servants to manage prisons (Decree No. 16.0088 of 16 February 2016);
- Definition of new rules on the organization and operation of prison facilities and determining their internal regime (Decree No. 16.0087 of 16 February 2016).

82. In addition, a national policy on health in prisons was developed by the Government in 2017 to enable the humanization of detention facilities.

83. In 2018, the Government also developed a national strategy for the reintegration of detainees.

Response to the recommendation on the consolidation of peace, social cohesion and national reconciliation (104.67, 104.68, 104.69, 104.70, 104.71, 105.50, 105.54, 105.56)

Implementation of the transitional justice mechanism

84. This mechanism is mainly characterized by the establishment of CVJRRN, which arises out of the Global Strategy for National Reconciliation, drafted in November 2014 by the Ministry of National Reconciliation and the Promotion of Civic Culture.

85. That idea was strengthen d by the grass-roots popular consultations held in 2015, when the majority of persons consulted stated their wish to see the Government undertake a campaign against impunity, which was identified as the main cause of the country's repeated crises.

86. Accordingly, the National Forum of Bangui, held in May 2015, adopted a recommendation calling for the creation of that Commission, seen as one of the pillars of the durable process to free the country of its devastating crises, to restore peace and to establish equitable justice and national reconciliation.

87. The basic purpose of the Commission is to effect the rebuilding of collective memory by establishing the truth of events between "torturers and victims" so that full justice can be done, taking account of the harm suffered by the victims, its reparation and, above all, reconciliation among the country's people.

88. Following the establishment of the Steering Committee by decree on 11 February 2017, the process has just reached a new phase through the appointment of the members of the Committee by their respective entities, which appointment was endorsed by presidential decree on 8 March 2018.

89. The Steering Committee is now working to organize the national consultations and establish CVJRRN.

90. A number of dialogues, at the Government's initiative, between the various religious denominations, on the one hand, and between the armed groups and the Government, on the other hand, have been organized to promote national reconciliation.

91. Noteworthy in this regard are the following:

- The National Forum of Bangui (2015), which led to the Republican Pact for Peace, National Reconciliation and Reconstruction;
- The signature of the Agreement of 10 May 2015 between the Transitional Government and the armed groups on the principles of disarmament, demobilization, repatriation and reintegration (DDRR) and of integration into the country's uniformed forces, representing a major step in the peace process and the country's stabilization.

Response to recommendations relating to disarmament, demobilization, repatriation and reintegration (DDRR), and to security and the restoration of the authority of the State (104.33, 104.45, 104.46, 104. 47 104.60, 105.38, 105. 40 105.46, 105.47, 105. 49 105.51, 105.53, 105. 50, 105. 54, 105. 55, 105. 56 105.59, 105.63 105.71, 105.78)

92. In the face of the challenges of governance exacerbated by the military-political crisis, the Government has developed a programme of disarmament, demobilization, reintegration and repatriation (DDRR) and developed a strategy on security sector reform (SSR).

The disarmament, demobilization, reintegration and repatriation programme

93. The National Programme of the DDRR process draws its substance:

- From grass-roots consultations;

- From the Bangui Forum of 2015, which led to the signing of the Agreement of 10 May 2015 between the Transitional Government and the armed groups on the principles of DDRR and integration into the uniformed forces of the State.

94. The agreement defines the eligibility criteria of DDRR and modalities for integration in the Central African armed Forces.

95. The programme comprises four basic steps which are, of course, the disarmament, demobilization, reinsertion and reintegration of ex-combatants.

96. In the context of the implementation of the programme to date, the following activities have been conducted:

- The national strategy document of DDRR and the National Programme were validated by the Strategic Committee, chaired by the Head of State;
- A funding agreement for the reintegration of ex-combatants in the amount of US$ 30 million was signed with the World Bank in June 2017;
- 14 groups have formally joined the DDRR programme;
- Officially launched on 30 August 2017, the DDRR pilot project achieved its objectives in three months;
- Of the 14 armed groups, two entities, namely the FPRC of Nouredine Adam and RJ of Armel SAYO, categorically refused to participate in the project;
- A total of 480 ex-combatants have been proposed by the 12 armed groups which took part:
    - Of the 480 persons, 240 were selected to join the Central African armed forces; 101 of that number have just completed their training;
    - 133 out of 139 persons making up the second wave entered the Camp Kassai training centre on 15 February 2018;
    - Three persons were rejected owing to their history of human rights violations, while three others have withdrawn.

97. In parallel with this programme, and in order to prevent the commission of further serious human rights violations, the Government has designed a strategy to verify past human rights violations in the defence and security forces, with help from the Human Rights Division of MINUSCA.

98. By an interministerial order by the ministers responsible for Public Security and National Defence, dated 28 September 2017, a procedure was established for conducting investigations into morality and screening security against members of armed groups who are candidates for reintegration or integration into the Central African armed forces.

99. The interministerial text sets the eligibility criteria for the DDRR programme and determines the regime for investigating morality and past human rights violations, which is applicable to the process of recruiting members of armed groups into the country's armed forces.

100. The objective is to ensure quality recruitment with respect for human rights.

Security Sector Reform (SSR) Strategy

101. Security sector reform is a process of assessment, review and implementation, as well as monitoring and evaluation, led by the national authorities, aimed at creating an effective and accountable security system for the State and its people, without discrimination and with full respect for human rights and the rule of law.

102. The overall objectives of the strategy are:

- Securing the territory and restoration of the administration;
- Protection of persons and property;
- Democratic security sector governance;

103. Taking into account lessons learned from the failure of previous attempts at security sector reform, a new approach has been designed by the Government with the support of international partners.

104. For this purpose, three major areas of action have been identified:

- Strengthening the capacity of the security sector;
- Strengthening the security of persons and property and restoration of State authority;
- Stabilizing democratic governance and the rule of law.

105. The reforms identified from these strategic areas are conducted in the short and medium terms based on action plans developed by the various ministerial departments concerned.

Reply to the recommendations relating to the protection and promotion of human rights (104.1, 105.65, 105.19, 105.43, 105.17, 105.48, 105.57, 105.58, 105.68, 105.75)

106. In 2018, to ensure better protection and promotion of human rights, the Government initiated the development of a national policy document on human rights and fundamental freedoms as a frame of reference.

107. Furthermore, all the institutions of the Republic now have a mandate and mission to take into account the human rights dimension with implementation plans in the preparation of their policy documents. The response to this recommendation also includes the establishment of institutions such as the High Authority for Good Governance and the National Commission on Human Rights and Fundamental Freedoms.

Response to recommendations relating to the ratification of human rights conventions, treaties and protocols (104.3, 104.21, 105.10, 105.11, 104.24, 105.1, 105.2, 104.21,104.22, 105.4, 104.25, 104.2, 104.23, 104.24, 105.8, 105.9, 106.1, 104.4, 104.5, 104.6, 104.8, 104.11, 104.12, 104.12, 104.13, 104.15, 104.16, 104.17, 104.18, 104.20, 104.21)

108. Between 2013 and 2018, in relation to its international commitments, the Central African Republic ratified the following international human rights conventions and protocols:

- The Convention on the Prevention and Punishment of the Crime of Genocide;
- The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;
- The Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict;
- The African Charter on Democracy, Elections and Governance;
- The Protocol relating to the Establishment of the Peace and Security Council of the African Union.

109. In addition, the Government has taken steps to ratify other conventions and protocols, the processes for which are in hand, including:

- The Convention on the Rights of Persons with Disabilities;
- The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families;
- The Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty.

Reply to the recommendations on the support and assistance of the international community (104.72, 104.74, 104.77, 104.81, 105.68, 105.69, 105.70)

110. The Central African Republic enjoys the support and multifaceted assistance of virtually all international partners involved in the implementation of the right to protection

of the family, such as MINUSCA, UNDP, UNIFEM, UNFPA, UNICEF, the European Union, the capacity-building framework of advocacy for women, children of persons with disabilities, minorities and the indigenous population, who are the components of the family.

111. It appreciates the support and assistance of the international community in all areas of human rights, including the organization of elections, the return to constitutional order, the protection of civilians and internally displaced persons, the reform of the institutions of the Republic, education, health and labour.

Reply to the recommendations relating to humanitarian aid (105.59, 105.60, 105.61, 105.62)

112. The Central African Republic has received assistance and support from several international partners in the context of access to humanitarian assistance throughout the country. Humanitarian assistance is targeted, without discrimination, on internally displaced persons in various locations within the country and in Bangui.

113. As for efforts to restore security and improve the humanitarian situation in the country, MINUSCA and certain other partners are playing a vital role in this area.

Reply to the recommendations relating to cooperation in the area of human rights (104.26, 105.48, 105.68, 105.70, 105.79, 105.80, 105.81, 106.2, 106.3)

114. The Central African Republic has benefited from several forms of technical and financial assistance from the international community, to build capacity in the country in the areas of promotion and protection of human rights, institutional capacity-building for better ownership of human rights, training for senior officials and public servants in the areas of human rights and in related sectors such as restoring the authority of the State, reform of the security sector, disarmament and reintegration of former combatants, and the reintegration of children involved in conflict.

B. Challenges faced in the implementation of human rights since the previous report

115. The Central African Republic has faced many challenges and constraints in the implementation of human rights since the previous report.

116. These include:

- Institutional instability and lack of visibility in the conduct and management of the country's human rights policy;
- Delays in decision-making with regard to certain human rights issues;
- The high illiteracy rate among the population;
- Ignorance or lack of ownership by the population of instruments and mechanisms for the promotion and protection of human rights;
- Inter-ethnic, interreligious and intercommunity divisions and rifts;
- Poor governance in the conduct and operation of projects, embezzlement of public funds and corruption, all of which cause problems for the State in relation to its supreme obligations for the funding of human rights-related activities and projects;
- The collapse of the economy in response to developments since March 2013;
- The high level of poverty;
- The destruction of the economic fabric flowing from the systematic looting of administrations, enterprises, companies and schools;
- The lack of specialized institutions in the field of human rights to enable the popularization and dissemination of the values and principles of human rights;

- Insecurity throughout the country, which is the largest obstacle to publicizing human rights, especially in the regions and prefectures under the control of armed groups;
- The absence of State authority in the regions and prefectures under the control of the armed groups;
- The absence of the defence and security forces and the armed forces in the regions and prefectures to ensure the protection of the civilian population;
- The heavy dependence of the Central African Republic in respect of external financing;
- Sociocultural pressures and other stereotypes that constitute barriers to the flourishing and development of women;
- The isolation of the country;
- The weight of external debts.

V. National priorities, initiatives and commitments undertaken since the previous report to improve the human rights situation

A. The Government's priorities for improving the human rights situation

- Restoration of the authority of the State to ensure the protection of the entire civilian population;
- Disarmament of all armed groups;
- Promoting the country's overall development by placing people at the centre of all efforts;
- The consolidation of the rule of law in order to ensure effective implementation of human rights;
- Promoting reconciliation and coexistence among the various religious communities and confessions;
- Implementation of the Sustainable Development Goals, particularly Goal 4, relating to the right to education: "**Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all**";
- Applying the implementation of and compliance with the gender concept and gender equality in the realities of everyday life;
- The promotion of human rights education, the culture of peace and reconciliation throughout the country;
- Guaranteeing the rights of vulnerable groups such as women, children, persons with disabilities and older persons;
- The adoption of a national policy document on human rights and fundamental freedoms, including an Action Plan for implementation.

B. Various initiatives undertaken at the country level

117. In addition to the institutions provided for in the Constitution of 30 March 2016, the Central African authorities have taken a number of initiatives to improve the human rights situation. These are:

- The creation in 2017 of the National Commission on Human Rights and Fundamental Freedoms;

- The implementation in 2017 of transitional justice, with a Truth, Justice, Reparation and National Reconciliation Commission (CVJRRN);
- The creation in June 2017 of the Monitoring Committee for the Convention on the Elimination of All Forms of Discrimination against Women (CEDEF);
- The creation on 7 June 2018 of the National Committee to Combat Gender-based Violence and Traditional Practices Harmful to Women, including forced marriage;
- The establishment in 2018 of the National Coordination of the Rabat Process on Euro-African Dialogue on Migration and Development.

C. Implementation of international commitments in the field of human rights

118. In accordance with its international commitments, the Central African Republic undertakes to:

- Ratify international conventions, including:
  - The Convention on the Rights of Persons with Disabilities;
  - The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families;
  - The International Convention for the Protection of All Persons from Enforced Disappearance, and to accept the competence of the Committee on Enforced Disappearances;
- Strengthen national legislation, bringing it into line with international obligations;
- Strengthen cooperation with international and regional human rights bodies;
- Develop an action plan for the implementation of the recommendations following this third national report;
- Disseminate the national report at all social levels of the population and political, legislative, judicial authorities and other organizations in order to enhance national ownership;
- Submit the various reports to depositary organs in a timely manner.

VI. The country's key needs in terms of capacity-building and technical and financial assistance

119. The conflicts and crises in the country since 2013 have a negative impact on the development of the country in general, particularly the rights of the population. Almost all national infrastructures have been destroyed. In view of the numerous challenges and constraints faced by the country, it is now imperative that it be assisted and supported by the international community.

A. Needs expressed in terms of capacity-building

120. These include:

- Capacity-building in the justice system, transitional justice mechanisms and the National Commission on Human Rights and Fundamental Freedoms in order to enable them to contribute effectively to the process of reconciliation and national cohesion;
- Capacity-building for members of the National Committee for the drafting of reports for submission to treaty bodies;

- Strengthening the capacity of the Ministry of Justice and Human Rights in the development of the action plan for the implementation of any recommendations following the third national report and those of other treaty bodies.

B. Needs expressed in terms of technical and financial assistance

121. These include:

- Facilitating broad dissemination and publication of the third national report and the recommendations which will follow;
- Support for the action plan for the implementation of any recommendations relating to the third national report;
- Support to the national committee for the drafting of reports under international human rights instruments;
- Support to the Ministry of Justice and Human Rights in the implementation of the national policy on human rights and fundamental freedoms which is going through the validation process;
- Support for awareness-raising and training initiatives on human rights throughout the country.

Conclusion

122. The present report reviews the progress made and describes the challenges facing the Central African Republic with regard to the realization of human rights. Through this document, the Central African Republic reaffirms its support for the Universal periodic review and reiterates its readiness to receive recommendations that will enable it to improve the human rights situation in the country.

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Compilation on the Central African Republic

Report of the Office of the United Nations High Commissioner for Human Rights

I. Background

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the periodicity of the universal periodic review. It is a compilation of information contained in reports of treaty bodies and special procedures and other relevant United Nations documents, presented in a summarized manner owing to word-limit constraints.

II. Scope of international obligations and cooperation with international human rights mechanisms and bodies[1, 2]

2. Treaty bodies recommended ratifying the Optional Protocol to the Convention on the Rights of the Child on a communications procedure,[3] the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families,[4] the United Nations Convention against Transnational Organized Crime and the protocols supplementing that Convention.[5]

III. National human rights framework[6]

3. In 2014, the Committee on the Elimination of Discrimination against Women was concerned at the widespread insecurity,[7] the grave and systematic human rights violations by armed groups, the quasi-collapse of the State — including the judiciary and the education and health systems[8] — and the urgent humanitarian situation.[9] In 2017, the Committee on the Rights of the Child stated that the instability and insecurity warranted the continuing need for a United Nations peacekeeping presence.[10]

4. In February 2018, the Secretary-General of the United Nations noted signs of political progress in the country, including steps to strengthen State authority in the prefectures, enhance cooperation between national institutions and lay the foundation for a more comprehensive political process. That progress was marred, however, by continued violence in some parts of the country, as well as by chronic weaknesses in the functioning

of State institutions, which undermined the effective deployment of the State's architecture beyond Bangui.[11]

5. In 2017, the Independent Expert on the situation of human rights situation in the Central African Republic indicated that without a cessation of hostilities and without the disarmament, demobilization, repatriation and reintegration of the armed groups, it would be unrealistic to expect measures to promote the rule of law, justice and economic recovery to have any real impact.[12] The Committee on the Elimination of Discrimination against Women urged the country to support initiatives to achieve peace and security, to rebuild State institutions, including the national security forces and the judiciary,[13] and to fulfil the urgent humanitarian needs of the population.[14]

6. In 2017, the Committee on the Rights of the Child welcomed the adoption in 2016 of the new Constitution.[15]

7. In 2018, the Committee on Economic, Social and Cultural Rights welcomed the 2017 promulgation of the Act establishing the National Commission on Human Rights and Fundamental Freedoms, and noted that necessary funding should be allocated to allow it to function effectively.[16]

8. The Committee on the Elimination of Discrimination against Women recommended repealing all discriminatory provisions of the Family Code and finalizing the adoption of the new Family Code.[17]

9. The Committee on the Rights of the Child recommended adopting the draft law on the protection of the child in full alignment with the Convention on the Rights of the Child.[18] It also encouraged the country to develop a comprehensive policy and an implementing strategy, to address children's rights.[19]

IV. Implementation of international human rights obligations, taking into account applicable international humanitarian law

A. Cross-cutting issues

1. Equality and non-discrimination

10. The Committee on the Rights of the Child was concerned about the persistent discrimination in practice against children, based on religious affiliation, and vulnerable groups, including children accused of witchcraft.[20] The Committee on Economic, Social and Cultural Rights recommended that the Central African Republic adopt a general law against discrimination covering all aspects of the Covenant.[21]

2. Development, the environment, and business and human rights

11. The Committee on the Rights of the Child was concerned about the impact of the business sector, in particular mining and agriculture, on children's rights, and recommended establishing and implementing the relevant regulations.[22]

B. Civil and political rights

1. Right to life, liberty and security of person[23]

12. The Secretary-General noted continuous violations and abuses committed by armed groups and internal security forces. In 2017, the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA) documented a net increase in the number of human rights abuses and violations of human rights and international humanitarian law affecting numerous victims, including women and children, as compared to 2016.[24]

13. The Independent Expert noted that human rights violations and abuses, most of them perpetrated by ex-Séléka and anti-Balaka armed groups, included thousands of killings, acts of torture and inhuman or degrading treatment, sexual violence, sexual slavery, forced marriage, abductions, deprivation of liberty and arbitrary arrest, extortion and looting, recruitment and exploitation of children, the occupation of schools and health centres and attacks on them, and denial of humanitarian assistance.[25]

14. The Secretary-General regretted that in the absence of an effective State authority in most parts of the country, armed groups and self-defence militia continued to prey on communities, compete for control over land and resources, hinder aid delivery to those in need and prevent economic drivers, such as seasonal transhumance, from benefiting all Central Africans. These trends presented an untenable situation, with the potential to further destabilize the country and diminish the gains made since the end of the transition.[26]

15. In 2017, the Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination expressed concern at the possibility of another armed conflict, if mercenarism, foreign-armed actors and local armed groups were not effectively dismantled and suppressed.[27]

16. The Office of the United Nations High Commissioner for Refugees (UNHCR) indicated that conflict-related sexual violence, although a major concern, remained largely underreported. It also regretted serious abuses against persons accused of witchcraft, mostly older persons, women and children.[28]

17. The Independent Expert expressed concerned at the lack of detention facilities outside Bangui, and at the extremely poor conditions of detention, due in particular to a lack of food and prison overcrowding.[29] The Committee on the Elimination of Discrimination against Women recommended rebuilding prison infrastructure.[30]

2. Administration of justice, including impunity, and the rule of law[31]

18. The Committee on the Elimination of Discrimination against Women was concerned about the collapse of the judiciary, the prevalence of impunity, the lack of infrastructure for courts and the lack of security at courts for judges, victims and witnesses. It recommended restoring and strengthening the justice system, rebuilding the court infrastructure, and cooperating with the international commission of inquiry.[32] It also recommended that the country urge the International Criminal Court to open investigations into crimes committed by all parties, in the light of the national courts' inability to carry out the necessary proceedings.[33]

19. The Secretary-General[34] noted commendable progress in deploying the new prefectural administration, and that the Government and National Assembly had established constructive working relations.[34] He also noted significant steps taken in the fight against impunity, particularly through the resumption of criminal sessions in the Bangui and Bouar Courts of Appeal; and progress in arrests and investigations against suspected perpetrators of serious crimes. In January 2018, at the third criminal session of the Bangui Court of Appeal organized since 2015, for the first time, several members of armed groups had been convicted.[35]

20. The Committee on the Rights of the Child welcomed the Special Criminal Court created in 2015, mandated to judge serious human rights violations committed since 2003.[36] UNHCR indicated that the work of the Court will be supported by a mapping report covering human rights violations in the country between 2003 and 2015, drafted by the Office of the United Nations High Commissioner for Human Rights and MINUSCA.[37]

21. The Committee on the Rights of the Child remained concerned about the detention and imprisonment of children with adults and the lack of rehabilitation and reintegration services. It urged the Central African Republic to bring its juvenile justice system fully into line with relevant standards.[38]

22. In February 2018, the Independent Expert was glad at encouraging signs of the judicial fight against impunity, including the conviction of the former militia leader known as General Andjilo, and the imminent launch of human rights investigations by the new Special Criminal Court.[39] He recommended that the Government cooperate with the Special

Prosecutor of the Court in order to ensure that perpetrators and instigators of and accomplices to the most serious international crimes were put on trial without delay.[40] The Secretary-General encouraged Member States to maintain their support and funding for the Court at this crucial juncture.[41]

23. The Committee on the Elimination of Discrimination against Women recommended the establishment of a screening and vetting system to exclude perpetrators of human rights violations from the national security and defence forces.[42]

24. The same Committee also recommended establishing a reconciliation commission and a permanent dialogue commission, and ensuring that their mandates included women's rights.[43] The Independent Expert invited the national authorities, civil society and their partners to look into a road map on transitional justice that took account of economic crimes.[44] In March 2018, the Assistant Secretary-General for Human Rights encouraged the national authorities to initiate consultations with the population and with Central African refugees on the mandate of the truth and reconciliation commission.[45]

25. The Independent Expert recommended that the Government refrain from granting amnesty to those responsible for serious crimes under international law, or serious human rights violations, and reaffirm the rights of victims to know the truth and to redress and reparation.[46]

26. The Committee on the Elimination of Discrimination against Women considered the lack of good governance as one of the root causes of the continuing conflict in the country,[47] and the social and economic inequalities and predation by State authorities and armed groups.[48]

27. In May 2018, the Committee on Economic, Social and Cultural Rights was concerned at the generalized corruption that prevailed in the country, which deprived it of the resources it needed to implement the Covenant rights, and at the state of impunity enjoyed by those responsible. The Committee recommended that the Central African Republic guarantee transparency and traceability in the management of revenues, and allocate the High Authority in charge of good governance the resources it needed to fulfil its mandate effectively.[49]

3. Fundamental freedoms and the right to participate in public and political life[50]

28. In 2018, the United Nations High Commissioner for Human Rights expressed deep alarm at the volatile situation in the Central African Republic, particularly given the worrying hate speech and incitement to violence on the basis of religion.[51] The Secretary-General noted that incendiary rhetoric, ethnic stigmatization and religious manipulations continued to play an inflammatory role in national politics and the media, creating an environment in which the risk of inter-ethnic strife remained high.[52] According to the Working Group on mercenaries, robust efforts were necessary to combat hate speech and intolerance within local media outlets. In the Working Group's opinion, promoting human rights standards by building the capacity of the local media could assist in countering hate speech.[53]

29. The Committee on Economic, Social and Cultural Rights was concerned at the presence of barriers to the exercise of freedom of expression for journalists.[54] The United Nations Educational, Scientific and Cultural Organization (UNESCO) recommended that the Government ensure the safety of journalists and continue to investigate the cases of journalists who had been killed, while taking advantage of the United Nations Plan of Action on the Safety of Journalists and the Issue of Impunity.[55]

30. UNESCO recommended decriminalizing the defamation law and incorporating it fully into the Civil Code in accordance with international standards.[56]

31. UNESCO also recommended introducing a freedom of information law in accordance with international standards.[57]

4. Prohibition of all forms of slavery

32. The Committee on the Elimination of Discrimination against Women was concerned about the persistence of the practice of enslaving indigenous people, and recommended adopting the bill to protect indigenous peoples against slavery and ensuring its effective implementation.[58]

33. The Committee on the Rights of the Child was concerned that children, particularly pygmy children and girls, were trafficked for forced labour in mining, agriculture, domestic servitude, child marriage and sexual exploitation. It recommended promptly investigating and prosecuting cases of child trafficking, and providing related training to judicial and law enforcement officials.[59] The Committee on Economic, Social and Cultural Rights recommended that the Central African Republic ensure the protection of those children and that, in future, it step up inspections of the above-mentioned activities.[60] The Committee on the Elimination of Discrimination against Women recommended the development of a strategy to combat trafficking and forced prostitution and to address its root causes.[61] The Committee on the Rights of the Child recommended reviewing the minimum age for work and eliminating the worst forms of child labour, by effectively implementing the Labour and Mining Codes.[62]

C. Economic, social and cultural rights

1. Right to work and to just and favourable conditions of work

34. The Independent Expert was concerned that many young people had been pushed towards armed groups by joblessness and a lack of economic prospects. In her opinion, there was a need to work on youth employment policies that would offer job opportunities.[63] The Committee on the Elimination of Discrimination against Women recommended the development of employment strategies that promoted gender equality.[64]

2. Right to an adequate standard of living

35. The Committee on Economic, Social and Cultural Rights regretted that the country ranked last on the scale of the Human Development Index and that 2.5 million people were in need of humanitarian assistance, while only 39 per cent of the necessary funding had been found for the proposed humanitarian response plan.[65] The Committee on the Rights of the Child was concerned about the persistently very high level of poverty.[66]

36. According to the Secretary-General, insecurity and recurrent displacement had led to a 58 per cent decline in crop production, increased food prices and an elevated risk of malnutrition. He noted that every second person in the country was in a food-insecure situation. The sanitary environment was also of concern, as 70 per cent of households were without access to drinking water, and 80 per cent lived without latrines.[67] The Committee on the Elimination of Discrimination against Women urged the country to create the conditions for agricultural activity to recover.[68]

37. The Independent Expert noted that basic social services were non-existent or largely insufficient outside Bangui because of the security situation.[69] In addition, in 2017, 14 aid workers were killed, making the country one of the most dangerous places for humanitarian work worldwide. Conflict between armed groups and lack of infrastructure had significantly restricted humanitarian access.[70]

38. UNHCR noted with concern that the crisis had resulted in the widespread looting and destruction of homes and the illegal occupation of land that were left behind by people fleeing widespread violence. Attempts to restore rights to housing, land and property were further complicated by the outdated and incomplete legal framework relating to land ownership and eviction, and the fact that many individuals did not have valid documents to prove ownership of their land or dwellings. Women, in particular, suffered from discriminatory ownership and inheritance practices. UNHCR recommended to review the national legal framework on housing, land and property issues and develop and apply related strategies.[71]

3. Right to health[72]

39. The Committee on Economic, Social and Cultural Rights was concerned at the insufficiency and further lowering of health expenditure, the rate of prevalence of HIV/AIDS, and the difficulties of access for women and girls to reproductive and sexual health care.[73] The Committee on the Elimination of Discrimination against Women noted that the destruction of health centres and the looting of medical equipment and medicines during the conflict had further undermined the already weak health system.[74]

40. The Secretary-General noted that the maternal mortality rate of 882 per 100,000 live births and the under-five child mortality rate of 13 per cent illustrated the critical health situation.[75]

41. The Committee on Economic, Social and Cultural Rights recommended that the Central African Republic implement the 2017–2027 plan for the construction, rehabilitation and equipment of sanitary facilities, take every possible measure to protect sanitary installations and medical, including humanitarian, personnel against looting and attacks, and consider the reopening of health-care centres and hospitals. The Committee also recommended that the country increase health expenditure, implement the 2017–2021 strategic plan for the development of human resources for health, and facilitate access to reproductive and sexual health information and services.[76]

4. Right to education[77]

42. UNESCO regretted that numerous children had been denied access to education owing to the closure of schools, which had been systematically looted and destroyed or occupied during the conflict, in spite of the endorsement in June 2015 of the Safe Schools Declaration.[78] According to the Secretary-General, at the end of 2017, 500 schools were closed, with particularly dire situations in Basse-Kotto, Haute-Kotto, Haut-Mbomou and Mbomou prefectures where nearly all schools were closed.[79]

43. UNESCO recommended that the Central African Republic take the necessary measures to deter the use of schools by parties to conflict, including by following the Guidelines for Protecting Schools and Universities from Military Use during Armed Conflict.[80]

44. According to UNESCO, after many years there was still a critical shortage of teachers, and this was having a detrimental impact on the quality of education.[81] The Committee on Economic, Social and Cultural Rights was concerned at the murders of teachers by armed groups.[82] UNESCO recommended that the Central African Republic carry out a teacher recruitment and training programme[83] to enhance the status and appeal of the teaching profession.[84]

45. UNESCO stated that very few primary and secondary schools were connected to the electricity grid and that, in 2014, only 25 per cent of schools had had access to drinking water. Furthermore, there were on average 99 students per classroom and one reading book for every eight children, as well as a lack of separate toilets for boys and girls.[85] UNESCO added that access to education was still restricted owing to a failure to enforce the constitutional principle of free education.[86]

46. The Committee on Economic, Social and Cultural Rights was concerned at the very high illiteracy rate, particularly among women and girls, indigenous populations and in rural areas; at the low rate of enrolment in schools and the high dropout rate, particularly among girls; and at the obstacles faced by demobilized child soldiers in accessing education or professional or vocational training.[87] The Committee recommended that the Central African Republic give priority to education and the rehabilitation of the educational system in its peace and reconciliation initiatives; take the necessary measures to ensure universal, free educational coverage, especially among the most marginalized and deprived populations; firmly address the causes of dropout; and ensure that demobilized child soldiers were able to have access to education.[88] UNESCO recommended that the Central African Republic introduce a system of social benefits for the poorest households to guarantee equal access to education.[89]

47. The Committee on the Elimination of Discrimination against Women appreciated the National Action Plan for Education for All (2003–2015).[90] UNESCO recommended that the Central African Republic adopt an inclusive education policy, focusing particularly on girls, children with disabilities and indigenous children,[91] and sustainably restore access to education, particularly for internally displaced children, by offering non-formal education programmes.[92]

D. Rights of specific persons or groups

1. Women[93]

48. The Committee on the Elimination of Discrimination against Women was concerned about the large and increasing number of acts of rape and other forms of sexual violence against women perpetrated by armed combatants and civilians; the stigmatization of victims of rape; and the forced recruitment of women and girls, sexual slavery and forced marriages, perpetrated by armed groups.[94] According to UNHCR, 40 cases of rape were being reported every day. In 2017, 4,417 cases were reported to UNHCR and partners. The majority of victims of sexual and gender-based violence were internally displaced persons.[95] According to the Independent Expert, the true number is likely to be higher, as victims are reluctant to report such crimes because of fear of stigma or reprisals, and because of the lack of security.[96] The disintegration of the judicial system and cases of sexual exploitation and abuse committed by United Nations peacekeepers and non-United Nations international forces have contributed to a climate of widespread impunity and the absence of protective measures to separate victims of sexual and gender-based violence from perpetrators.[97] UNHCR indicated that underreporting had also been compounded by a lack of trust in or access to the judiciary, and the absence of State authorities across the country.[98]

49. The Committee on Economic, Social and Cultural Rights was also concerned at the insufficiency of protection measures and adequate assistance for victims of sexual violence outside the areas under the control of the State party.[99]

50. The Committee on the Elimination of Discrimination against Women noted that the stagnation of the efforts to eliminate discrimination against women before the conflict had contributed to the exacerbation of discrimination and violence against women and girls in the country by all parties to the conflict.[100]

51. The same Committee recommended that the country investigate, prosecute and punish all cases of violence against women; protect from reprisals women and girl victims seeking access to justice; and ensure their access to medical treatment, psychosocial support and adequate compensation.[101] UNHCR recommended ratifying the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (the Maputo Protocol), adopting a legal aid law to provide legal assistance to victims of crime, including survivors of sexual violence, and developing and implementing a national strategy on sexual violence, including conflict-related sexual violence.[102] The Committee on the Elimination of Discrimination against Women also recommended ensuring to women victims of rape access to health-care and psychosocial services.[103]

52. The Committee on the Elimination of Discrimination against Women was concerned at the persistence of harmful practices against women, including female genital mutilation, widowhood rites, levirate and sororate, notwithstanding the existence of legal provisions against them.[104] The Committee on the Rights of the Child regretted the inadequate provision of medical services to child victims of female genital mutilation and sexual and gender-based violence.[105] The Committee on the Elimination of Discrimination against Women recommended the effective implementation of the national action plan addressing harmful traditional practices and gender-based violence.[106] It also recommended the prohibition of polygamy in the new Family Code.[107] The Committee on the Elimination of Discrimination against Women recommended adopting legal provisions criminalizing marital rape.[108]

53. The Committee on the Elimination of Discrimination against Women was concerned about the criminalization of witchcraft and "popular justice" against women perceived as witches.[109] The Independent Expert reiterated her recommendation to prosecute and punish all perpetrators of violations against persons accused of witchcraft, and to carry out related awareness-raising campaigns.[110] The Committee on the Elimination of Discrimination against Women made similar recommendations.[111]

54. The Committee on the Rights of the Child and the Committee on the Elimination of Discrimination against Women were concerned about the prevalent stereotypes concerning the roles of women and girls,[112] and the latter Committee was concerned about the low level of participation of women in Parliament and in political and public life, particularly in decision-making positions.[113] The Committee on Economic, Social and Cultural Rights welcomed the promulgation of a parity law in 2016, introducing a quota system of 35 per cent for 10 years.[114]

55. The Committee was concerned at the fact that article 252 of the Labour Code might result in unequal treatment between men and women. It recommended that the State party amend article 252 of the Labour Code to combat segregation at work and gender stereotypes.[115]

2. Children[116]

56. The Committee on the Rights of the Child was deeply concerned that the recurrent fighting between armed groups resulted in serious violations of children's rights including killing and maiming, recruitment, sexual violence and abuse, and denial of access to health and educational services and to humanitarian assistance. It noted the reported 10,000 children recruited by armed groups since the outbreak of the latest armed conflict.[117]

57. According to UNHCR, boys as young as eight have reportedly been used as combatants, guards, messengers, informants and cooks, while girls are used as sex slaves — despite the agreement signed on 5 May 2015 by 10 armed groups. UNHCR was also concerned at information about an undetermined number of children operating checkpoints and barricades. On several occasions, suspected anti-Balaka elements had used children as shields. Finally, village self-defence units also used children as lookouts and porters. As they remain unreported, child casualties are extremely difficult to calculate. Children are also targeted by armed groups and are brutally assaulted by machete, firearms and other weaponry on the basis of their religious affiliation.[118]

58. In 2018, while welcoming the release of thousands of children from the ranks of armed groups, the Special Representative of the Secretary-General for Children and Armed Conflict expressed concern at continued grave violations against children committed in the Central African Republic, mainly by armed groups, and urged armed groups to take immediate action and engage with the United Nations to develop and implement action plans to prevent such violations.[119]

59. The Committee on the Rights of the Child urged the country to investigate allegations of grave and systematic violations against children perpetrated by any party to the conflict and bring perpetrators to justice,[120] to implement effectively the peace agreements, to criminalize the recruitment and use of children in hostilities and promptly investigate and prosecute perpetrators, and to develop a national strategy for the disarmament, demobilization and reintegration of children associated with armed groups.[121] It also urged the country to identify children who may have been or are at risk of being recruited and/or used in hostilities and/or sexually abused by armed groups.[122] UNHCR recommended that the country continue to work with the United Nations and child protection agencies to develop community-based approaches to child disarmament, demobilization and reintegration.[123] In that regard, the Committee on Economic, Social and Cultural Rights recommended that the Central African Republic provide appropriate psychological support to children who had been removed from armed groups.[124] The Special Representative of the Secretary-General for Children and Armed Conflict highlighted the need to raise funds for reintegration programmes for children released from armed groups.[125]

60. The Committee on the Rights of the Child was concerned about conflict-related sexual violence, exploitation and abuse of children by all parties to the conflict, including international military forces present as part of peacekeeping operations, and about girls increasingly being forced into transactional sex, also known as "survival sex".[126] In 2015, the Secretary-General advised that in response to those allegations, MINUSCA had repatriated the peacekeepers involved in the case, had reiterated the Organization's zero-tolerance policy, and had reinforced preventive measures, including conducting regular spot checks of areas and places conducive to sexual misconduct.[127] The Committee also urged the country to prosecute perpetrators, while guaranteeing victim and witness protection measures.[128] In the context of peacekeeping operations, it recommended including, in the status-of-forces agreements with troop- and police-contributing countries, provisions guaranteeing their unconditional national responsibility to investigate and prosecute their security forces operating in the Central African Republic where there were allegations of sexual exploitation and abuse of children, as well as a provision allowing prosecution by the Central African Republic when the contributing country was unable or unwilling to take action.[129]

61. The same Committee was concerned that children with albinism, children with disabilities and children accused of witchcraft might be subject to violent rituals amounting to torture, to cruel, inhuman or degrading treatment, or to kidnapping, and that might even result in death, and might also be expelled from their families and communities. It urged the country to protect such children, and to promptly investigate and prosecute in cases where incidents such as those mentioned above occurred.[130] It also urged the country to issue guidance to the police on the right of children to freedom from violence, and to investigate reported cases of police torture of children,[131] and recommended addressing the situation of children in street situations.[132]

62. Concerned at the extremely high levels of violent "disciplining" of children, the same Committee recommended prohibiting corporal punishment in all settings, in the draft law on the protection of the child.[133]

63. The same Committee,[134] and the Committee on the Elimination of Discrimination against Women,[135] were concerned at the high prevalence of child and forced marriage. The Committee on the Rights of the Child recommended enforcing the minimum age of marriage at 18 without exception,[136] and reviewing article 105 of the Family Code to allow girls to file a legal complaint against their kidnapper or abductor, including when married to him.[137] The Committee on the Elimination of Discrimination against Women also recommended repealing the legal provisions of the Family Code enabling child marriage in cases where authorization has been granted by the persons exercising parental authority.[138] The Committee on Economic, Social and Cultural Rights recommended that the Central African Republic conduct awareness campaigns against early marriage.[139]

3. Persons with disabilities

64. The Committee on the Rights of the Child and UNESCO were concerned that most children with disabilities did not attend school.[140] The Committee on the Rights of the Child noted that pervasive poverty and the armed violence had exacerbated their discrimination and exclusion. It was also concerned at the increased number of children with impairments due to the armed conflict, and it urged the country to adopt a human rights-based approach to disability and recommended enhancing the social inclusion of children.[141]

65. The Committee on Economic, Social and Cultural Rights was concerned at the possibility suggested in article 269 of the Labour Code that the pay of persons with disabilities may be reduced on account of lower output.[142] The Committee recommended that the State party address the issue of the rights of persons with disabilities in its peace and reconciliation initiatives; revise article 265 of the Labour Code in order to ensure that persons with disabilities enjoy equal pay for work of equal value; and ensure the effective application of regulations on employment quotas for persons with disabilities.[143]

4. Minorities and indigenous peoples

66. The Committee on Economic, Social and Cultural Rights was concerned at the persistent marginalization, poverty and extreme vulnerability of indigenous populations (Mbororo and Baka), who continued to meet with considerable obstacles to the enjoyment of their rights under the Covenant, a situation that had worsened as a result of the situation of conflict. In particular, the Committee noted that those populations were employed in precarious and underpaid jobs, particularly in agriculture, and were sometimes reduced to slavery by other local ethnic groups. The Committee was also concerned at their weak representation and participation in political and public affairs.[144] UNESCO noted that Pygmy children still had very limited access to education, since 9 out of 10 Pygmies aged 10 or above were unable to read or write in any language.[145] The Committee on Economic, Social and Cultural Rights recommended that the Central African Republic combat discrimination against and the marginalization of indigenous populations and strengthen their protection in the framework of the conflict, and that it adopt a national strategy to promote and protect the rights of indigenous populations, with the participation of the communities concerned.[146] The Committee on the Rights of the Child recommended adoption of the draft law implementing the Indigenous and Tribal Peoples Convention, 1989 (No. 169) of the International Labour Organization.[147]

5. Migrants, refugees, asylum seekers and internally displaced persons[148]

67. The Secretary-General was concerned that there were over 688,000 internally displaced persons in the country in 2017 — a 70 per cent increase in one year. The number of refugees had increased by 26 per cent, surpassing 545,000 refugees in neighbouring countries. Thus, by the end of 2017, as a consequence of the conflict, 1.24 million people — the highest number yet recorded — had been forcibly displaced, either as refugees or as displaced persons.[149]

68. The Committee on the Elimination of Discrimination against Women expressed concern at the attacks perpetrated against camps for internally displaced persons.[150]

69. The Committee on Economic, Social and Cultural Rights recommended that the Central African Republic ensure, in the area of humanitarian aid, that displaced persons should be guaranteed to enjoy at least the main aspects of their economic, social and cultural rights, in particular through basic services such as education, health services and adequate accommodation;[151] that persons exercising their right to return should have access to adequate accommodation and land;[152] and that a coordinated strategy should be implemented without delay to guarantee respect for the human rights of displaced persons.[153]

70. The Independent Expert reiterated her recommendation to establish conditions under which the informed, voluntary, dignified and sustainable return of refugees and displaced persons and their reintegration into their community through the promotion of "living together" would be possible.[154]

71. UNHCR recommended that the Government ensure compliance with its obligations under the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (the Kampala Convention) and promote knowledge of the Convention among all actors concerned, including internally displaced persons, and that it ensure that all relevant public authorities, including armed forces and security forces, are fully informed of their obligations.[155]

6. Stateless persons

72. The Committee on the Rights of the Child welcomed measures promoting birth registration. However, it was concerned about the enduring low rate of registered children and the disparities between urban and rural areas. It recommended making available effective, free birth registration to all children, and reviewing or suspending article 134 of the Family Code in order that children could still be registered, without penalties, after the one-month period that was allowed.[156] The Committee on the Elimination of Discrimination against Women also recommended paying particular attention to registering internally

displaced children, as well as all refugee children of the Central African Republic born in foreign countries.[157]

73. UNHCR noted that in 2017, as a member State of the International Conference on the Great Lakes Region, the country had signed a declaration on the eradication of statelessness. However, UNHCR was concerned that the massive forced displacement inside and outside the country constituted significant risk factors for statelessness. UNHCR recommended that the Central African Republic accede to, and domesticate, the Convention relating to the Status of Stateless Persons, of 1954, and the Convention on the Reduction of Statelessness, of 1961.[158]

Notes

[1] Tables containing information on the scope of international obligations and cooperation with international human rights mechanisms and bodies for the Central African Republic will be available at www.ohchr.org/EN/Countries/AfricaRegion/Pages/CFIndex.aspx.
[2] For relevant recommendations, see A/HRC/25/11, paras. 104.1–104.6, 104.8, 104.11–104.13, 104.15–104.18, 104.20–104.25, 105.1–105.2, 105.4, 105.8–105.11 and 106.1.
[3] See CRC/C/CAF/CO/2, para. 80.
[4] Ibid., para. 81. See also CEDAW/C/CAF/CO/1-5, para. 52.
[5] See CEDAW/C/CAF/CO/1-5, para. 30 (c).
[6] For relevant recommendations, see A/HRC/25/11, paras. 104.7, 104.65, 104.85–104.86, 105.7–105.9, 105.20–105.21, 105.45 and 105.72–105.77.
[7] See CEDAW/C/CAF/CO/1-5, para. 9. See also CEDAW/C/CAF/CO/1-5, para. 7.
[8] See CEDAW/C/CAF/CO/1-5, para. 7. See also CEDAW/C/CAF/CO/1-5, para. 11.
[9] See CEDAW/C/CAF/CO/1-5, para. 11.
[10] See CRC/C/CAF/CO/2, para. 4.
[11] See S/2018/125, para. 2.
[12] See A/HRC/36/64, para. 102.
[13] See CEDAW/C/CAF/CO/1-5, para. 12 (b) and (c).
[14] Ibid., para. 12 (a).
[15] See CRC/C/CAF/CO/2, para. 3.
[16] See E/C.12/CAF/CO/1, para. 3.
[17] See CEDAW/C/CAF/CO/1-5, para. 46 (a).
[18] See CRC/C/CAF/CO/2, para. 7.
[19] Ibid., para. 9. See also para. 13 (b).
[20] Ibid., para. 24.
[21] See E/C.12/CAF/CO/1, para. 18.
[22] See CRC/C/CAF/CO/2, paras. 20–21.
[23] For relevant recommendations, see A/HRC/25/11, paras. 104.8, 104.10, 104.28, 104.32–104.33, 104.45–104.47, 104.53, 104.60, 105.38, 105.40, 105.46–105.47, 105.49–105.51, 105.53–105.56, 105.59, 105.63, 105.71 and 105.78.
[24] See S/2018/125, para. 51.
[25] See A/HRC/36/64, paras. 39 and 53. See also CRC/C/CAF/CO/2, paras. 28–29 and 66 (a).
[26] See S/2018/125, para. 71.
[27] See A/HRC/36/47/Add.1, para. 85.
[28] UNHCR submission for the universal periodic review of the Central African Republic, pp. 1–2.
[29] See A/HRC/36/64, para. 100.
[30] See CEDAW/C/CAF/CO/1-5, para. 16 (b).
[31] For relevant recommendations, see A/HRC/25/11, paras. 104.5, 104.28, 104.30–104.31, 104.34–104.36, 104.47–104.57, 104.59–104.60, 104.63, 104.67–104.71, 105.18, 105.50, 105.54 and 105.56.
[32] See CEDAW/C/CAF/CO/1-5, paras. 15 (e)–16 (b). See also para. 7.
[33] Ibid., paras. 15 (a)–16 (c).
[34] See S/2018/125, paras. 4–5.
[35] Ibid., para. 41.
[36] See CRC/C/CAF/CO/2, para. 3. See also para. 67 (f).
[37] UNHCR submission, p. 2.
[38] See CRC/C/CAF/CO/2, paras. 76–77.
[39] See A/HRC/36/64, para. 106; and www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=22680&LangID=E.
[40] See A/HRC/36/64, para. 106 (d).
[41] See S/2018/125, para. 80.
[42] See CEDAW/C/CAF/CO/1-5, para. 16 (e).

[43] Ibid., para. 20 (c).
[44] See www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=22680&LangID=E; and A/HRC/36/64, para. 106 (l).
[45] See www.ohchr.org/EN/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=22879&LangID=E.
[46] See A/HRC/36/64, para. 106 (c).
[47] See CEDAW/C/CAF/CO/1-5, para. 7. See also para. 11.
[48] Ibid., para. 11.
[49] See E/C.12/CAF/CO/1, paras. 15–16.
[50] For relevant recommendations, see A/HRC/25/11, paras. 104.7, 104.74, 105.20 and 105.45.
[51] See www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=23056&LangID=E.
[52] See S/2018/125, para. 2.
[53] See A/HRC/36/47/Add.1, para. 95.
[54] See E/C.12/CAF/CO/1, para. 41.
[55] UNESCO submission for the universal periodic review of the Central African Republic, para. 19.
[56] Ibid., para. 17.
[57] Ibid., paras. 17–19.
[58] See CEDAW/C/CAF/CO/1-5, paras. 43–44.
[59] See CRC/C/CAF/CO/2, paras. 74–75.
[60] See E/C.12/CAF/CO/1, para. 30 (c).
[61] See CEDAW/C/CAF/CO/1-5, para. 30 (a).
[62] See CRC/C/CAF/CO/2, para. 71 (a) and (b).
[63] See A/HRC/36/64, para. 74.
[64] See CEDAW/C/CAF/CO/1-5, para. 38.
[65] See E/C.12/CAF/CO/1, para. 7.
[66] See CRC/C/CAF/CO/2, para. 58. See also CEDAW/C/CAF/CO/1-5, para. 41 (a).
[67] See S/2018/125, para. 30. See also CEDAW/C/CAF/CO/1-5, para. 9.
[68] See CEDAW/C/CAF/CO/1-5, para. 42 (a).
[69] See A/HRC/36/64, para. 75.
[70] See S/2018/125, para. 32.
[71] UNHCR submission, pp. 4–5.
[72] For relevant recommendations, see A/HRC/25/11, paras. 104.78–104.82 and 105.42.
[73] See E/C.12/CAF/CO/1, para. 37. See also CEDAW/C/CAF/CO/1-5, para. 39; and CRC/C/CAF/CO/2, para. 56.
[74] See CEDAW/C/CAF/CO/1-5, para. 39.
[75] See S/2018/125, para. 30. See also CEDAW/C/CAF/CO/1-5, para. 39; and CRC/C/CAF/CO/2, para. 54
[76] See E/C.12/CAF/CO/1, para. 38.
[77] For relevant recommendations, see A/HRC/25/11, paras. 104.8, 104.83–104.86 and 104.88–104.91.
[78] UNESCO submission, para. 9. See also CRC/C/CAF/CO/2, para. 62; and CEDAW/C/CAF/CO/1-5, para. 35.
[79] See S/2018/125, para. 30.
[80] UNESCO submission, para. 9. See also CRC/C/CAF/CO/2, para. 63.
[81] UNESCO submission, para. 15.
[82] See E/C.12/CAF/CO/1, para. 39.
[83] UNESCO submission, paras. 15 and 16 (5).
[84] Ibid., para. 16 (5).
[85] Ibid., para. 16.
[86] Ibid., para. 12. See also CRC/C/CAF/CO/2, para. 60.
[87] See E/C.12/CAF/CO/1, para. 39. See also CRC/C/CAF/CO/2, para. 60.
[88] See E/C.12/CAF/CO/1, para. 40. See also CRC/C/CAF/CO/2, para. 61 (a).
[89] UNESCO submission, para. 16 (2).
[90] See CEDAW/C/CAF/CO/1-5, para. 35.
[91] UNESCO submission, para. 16 (4).
[92] Ibid., para. 16 (3).
[93] For relevant recommendations, see A/HRC/25/11, paras. 104.27, 104.36–104.42, 105.12–105.17 and 105.19.
[94] See CEDAW/C/CAF/CO/1-5, para. 15 (b), (c) and (d).
[95] UNHCR submission, pp. 2–3.
[96] See A/HRC/36/64, para. 63.
[97] UNHCR submission, pp. 2–3.
[98] Ibid.
[99] See E/C.12/CAF/CO/1, para. 13.
[100] See CEDAW/C/CAF/CO/1-5, para. 11.

[101] Ibid., para. 16 (a), (b), (d) and (g). See also para. 28 (a) and (b).
[102] UNHCR submission, pp. 2–3.
[103] See CEDAW/C/CAF/CO/1-5, para. 40 (b) and (c).
[104] Ibid., para. 25. See also CRC/C/CAF/CO/2, para. 42.
[105] See CRC/C/CAF/CO/2, para. 54 (b).
[106] See CEDAW/C/CAF/CO/1-5, para. 26 (b).
[107] Ibid., para. 46 (b).
[108] See CEDAW/C/CAF/CO/1-5, para. 28 (d).
[109] Ibid., para. 25.
[110] See A/HRC/36/64, para. 62.
[111] See CEDAW/C/CAF/CO/1-5, para. 26 (d).
[112] See CRC/C/CAF/CO/2, para. 46; and CEDAW/C/CAF/CO/1-5, paras. 25 and 31.
[113] See CEDAW/C/CAF/CO/1-5, para. 31.
[114] See E/C.12/CAF/CO/1, para. 4.
[115] Ibid., paras. 23–24.
[116] For relevant recommendations, see A/HRC/25/11, paras. 105.22–105.37.
[117] See CRC/C/CAF/CO/2, para. 66 (a) and (b). See also CRC/C/CAF/CO/2, para. 28.
[118] UNHCR submission, pp. 3–4.
[119] Contribution of the Office of the Special Representative of the Secretary-General for Children and Armed Conflict to the universal periodic review of the Central African Republic, p. 1.
[120] See CRC/C/CAF/CO/2, para. 29.
[121] Ibid., para. 67 (a), (b), (c) and (d).
[122] Ibid., para. 65 (c).
[123] UNHCR submission, p. 4.
[124] See E/C.12/CAF/CO/1, para. 30.
[125] Contribution of the Office of the Special Representative of the Secretary-General for Children and Armed Conflict, p. 1.
[126] See CRC/C/CAF/CO/2, para. 40 (a) and (d).
[127] See S/2015/576, para. 74.
[128] See CRC/C/CAF/CO/2, para. 41 (c).
[129] Ibid., para. 41 (d) and (e).
[130] Ibid., paras. 44–45.
[131] Ibid., para. 37.
[132] Ibid., para. 73.
[133] Ibid., paras. 38–39 (a).
[134] Ibid., paras. 22 and 42. See also CEDAW/C/CAF/CO/1-5, para. 45 (c).
[135] See CEDAW/C/CAF/CO/1-5, para. 45.
[136] See CRC/C/CAF/CO/2, para. 23.
[137] Ibid., para. 43 (b).
[138] See CEDAW/C/CAF/CO/1-5, para. 46 (c).
[139] See E/C.12/CAF/CO/1, para. 34.
[140] See CRC/C/CAF/CO/2, para. 52; and UNESCO submission, para. 9.
[141] See CRC/C/CAF/CO/2, paras. 52–53 (a).
[142] See E/C.12/CAF/CO/1, para. 19.
[143] Ibid., para. 20.
[144] Ibid., para. 21.
[145] UNESCO submission, para. 14. See also CRC/C/CAF/CO/2, para. 68.
[146] See E/C.12/CAF/CO/1, para. 22.
[147] See CRC/C/CAF/CO/2, para. 69 (c).
[148] For relevant recommendations, see A/HRC/25/11, paras. 104.77 and 104.92–104.93.
[149] See S/2018/125, para. 29. See also CRC/C/CAF/CO/2, paras. 4 and 28.
[150] See CEDAW/C/CAF/CO/1-5, para. 17.
[151] See E/C.12/CAF/CO/1, para. 12 (a).
[152] Ibid., para. 12 (b).
[153] Ibid., para. 12 (c).
[154] See A/HRC/36/64, para. 58. See also CEDAW/C/CAF/CO/1-5, para. 18 (b).
[155] UNHCR submission, p. 4.
[156] See CRC/C/CAF/CO/2, paras. 32–33 (c). See also CEDAW/C/CAF/CO/1-5, para. 33.
[157] See CEDAW/C/CAF/CO/1-5, para. 34 (a) and (b). See also E/C.12/CAF/CO/1, para. 12 (d).
[158] UNHCR submission, p. 5.

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Summary of Stakeholders' submissions on Central African Republic*

Report of the Office of the United Nations High Commissioner for Human Rights

I. Background

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the periodicity of the universal periodic review. It is a summary of 14 stakeholders' submissions to the universal periodic review, presented in a summarized manner owing to word-limit constraints.

II. Information provided by stakeholders

A. Scope of international obligations and cooperation with international human rights mechanisms and bodies

2. JS4 and JS3 acknowledged that since its last review, Central African Republic has ratified a number of international human rights treaties.[1] ICAN recommended ratifying the treaty on the prohibition of Nuclear Weapons, signed in 2017.[2] CGNK recommended ratifying the Convention on the prevention and punishment of the crime of genocide as soon as possible.[3]

3. JS1,[4] CGNK[5] and Amnesty International (AI)[6] recommended to ratify the Second Optional protocol to the International Covenant on Civil and Political Rights.

B. National human rights framework

4. JS4 noted that the security situation continued to be volatile and the most significant source of human rights violations. The presence of increasingly divided armed groups in the territory was a constant threat to civilians ant to the continuity of civilian governance.[7] The Académie de la paix et du développement durable (Academy for Peace and Sustainable Development) (APDD) noted that armed groups occupy 80 per cent of the national

* The present document was not edited before being sent to United Nations translation services.

territory[8] and that the resurgence of human rights violations in the country has resulted in large numbers of displaced people and refugees.[9] According to JS4, generally, the targets of violence are persons belonging to religious communities.[10] JS4 recommended to work towards ensuring the territorial integrity of the nation, establish state administration in all parts of its territory and work in collaboration with the UN Peacekeeping Mission to demobilize, disarm and reintegrate all armed groups operating in the territory.[11]

5. JS4 noted positive developments since the previous review, such as the national reconciliation process, the referendum on the new constitution, and both parliamentary and presidential elections.[12]

6. Alternatives-Centrafrique noted that the National Human Rights Commission was re-established through Act No. 17.015 (2017) and recommended that measures be taken to align the Commission with the Paris Principles and ensure that it is accredited with category A status.[13] CEMUC recommended to make the Commission operational and give it the power to accept and investigate individual complaints of discrimination.[14] JS1 recommended providing the Commission with a head office and the resources it needs to function effectively, making it operational in all regions of the country, and guaranteeing its independence.[15]

C. Implementation of international human rights obligations, taking into account applicable international humanitarian law

1. Cross-cutting issues

Equality and non-discrimination

7. Alternatives-Centrafrique noted that some people in the Central African Republic experience discrimination on account of their sexual orientation. They are subject to threats to their privacy, ill-treatment, harassment and arbitrary detention.[16] They are also hindered in their access to justice, employment, education and health care. Alternatives-Afrique regretted that, in 2016, the Central African Republic voted against the mandate given to the Independent Expert on sexual orientation and gender identity. Alternatives-Afrique recommended that legislative measures be taken to protect sexual minorities from discrimination, that educational, medical, judicial and police workers receive personal contact training in order to prevent violence and discrimination against people on account of their sexual orientation, and that an inclusive sex education programme be introduced in the school system and a plan drawn up to combat all forms of violence or discrimination against schoolchildren.[17]

2. Civil and political rights

Right to life, liberty and security of person

8. AI noted that, although CAR accepted the recommendation from the previous cycle to abolish death penalty, which has not been used for many years, the Criminal Code still prescribes it for several crimes.[18] JS1 noted that the Central African Republic has voted in favour of the United Nations General Assembly resolutions on a moratorium on the use of the death penalty, but further efforts are still needed in that regard.[19] AI, JS1 and CGNK all recommended that the death penalty be abolished by law.[20]

9. JS1 pointed out that since 2013 armed groups, and particularly ex-Séléka and anti-Balaka factions, have continued to commit extrajudicial executions and other atrocities affecting the population in the north-eastern, north-western and central parts of the country controlled by those groups[21] and that no investigations can be undertaken because the Government has not re-established its authority there. JS1 also mentioned the extrajudicial executions perpetrated by the Office for the Prevention of Banditry.[22]

10. JS1 also expressed concern about the number of summary executions of people accused of witchcraft and regretted that the practice is punishable by law. JS1 recommended that prompt and impartial investigations be conducted into any alleged

summary executions, that perpetrators be brought to justice and punished in accordance with the gravity of their acts,[23] and that the Criminal Code be amended to exclude witchcraft as a crime.[24]

11. JS1 noted that allegations of forced disappearances continue to be regularly reported in the Central African Republic and that cases were not easy to identify owing to the general insecurity and difficult access to areas occupied by rebel groups.[25] JS1 recommended that forced disappearance be added as a separate offence in the Criminal Code,[26] that forced disappearances be the subject of in-depth investigations, that perpetrators be prosecuted and convicted, and that the Central African Republic extend an invitation to the United Nations Working Group on Enforced or Involuntary Disappearances.[27]

12. JS4 recommended to work towards disarming and demobilizing armed groups operating within its territory in order to ensure the right to life and security for all citizens.[28] JS3 recommended that all members of armed groups known to have violated human rights and committed war crimes be excluded from the national armed forces and that greater control be exercised over the armed forces to avoid deviations.[29]

13. JS1 reported that it had identified acts of torture in detention facilities and in rebel-controlled areas.[30] JS1 also pointed out that some alleged offenders were being held without a remand warrant. Furthermore, JS1 noted that, even though the Criminal Code includes torture as a crime, it does not give a definition.[31] JS1 further noted that the legally required visits to detention facilities by judicial authorities are rarely carried out in practice, while NGOs sometimes have difficulty obtaining the necessary authorization.[32] JS1 recommended that all allegations of torture be the subject of an independent, in-depth investigation and that perpetrators be prosecuted and convicted. JS1 also recommended ensuring protection for victims of torture.[33]

14. According to AI, very little progress has been made to implement the recommendations to improve prisons conditions, which had been accepted by the country at the previous cycle.[34] Some prisons were overcrowded and food, clothing medicine, and hygiene, were often inadequate; a large number of inmates were detained without charge of trial; convicted criminals were not separated from suspects under investigation; and there was no centralized record-keeping system to track the number of prisoners across the country.[35] AI recommended to ensure that conditions in detention facilities are human and preserve prisoners' physical and psychological integrity, in accordance with the UN Standards Minimum Rules for the Treatment of Prisoners.[36] JS1 recommended ensuring that convicted criminals be separated from suspects, that access be provided to adequate food and health care, and that prosecutors and judges handing down sentences regularly visit detention facilities.[37] In addition, JS1 recommended ensuring compliance with time limits for police custody and pretrial detention and giving preference to non-custodial sentences.[38]

15. AI recommended to establish an independent national preventive mechanism for the prevention of torture for all places of detention in accordance with the OPCAT.[39]

Administration of justice, including impunity, and the rule of law

16. JS3 noted with concern that 13 of the 16 prefectures outside Bangui are under the control of rebel chiefs.[40] JS3 recommended re-establishing the State's authority nationwide, continuing to deploy State representatives throughout the country, and strengthening the police and gendarmerie in order to ensure that the State is present and public order maintained.[41] JS3 also recommended adopting a national plan to combat corruption, ensuring the utmost transparency in the management of public finances and the distribution of development and humanitarian aid, rebuilding the national armed forces, and excluding all those who have committed human rights violations from the armed forces.[42]

17. AI noted that, despite the efforts by authorities and support by international partners, the justice system continued to face challenges, including the lack of functioning judicial institutions, shortage of legal personnel, insecurity in most part of the country, which limited the redeployment of judges, and the lack of training, capacity and adequate equipment for the judicial police and crumbling prisons. AI also noted that the lack of a

legal framework to protect victims had resulted in very limited testimony from victims and witnesses during criminal sessions due to fear of retaliation.[43] AI recommended that the justice administration be a priority. It specifically recommended to safely deploy judicial personnel across the country and reopen courts with the necessary means to function; and organize mobile court hearings, particularly in remote areas or areas where court buildings have been destroyed.[44]

18. JS1 drew attention to the judicial system's lack of independence.[45] JS1 recommended strengthening the judicial system by combating corruption, recruiting more judges and guaranteeing access to justice for all through the introduction of legal aid.[46]

19. AI regretted little progress made to ensure effective investigations of those reasonably suspected of having committed crimes under international law, stressing that impunity remained the norm in the vast majority of cases. In 2014, AI published a list of 21 individuals from all sides of the conflict whom AI believed should be investigated for crimes under international law. AI indicated that, of these, only two have been arrested, and some have been elected to public positions.[47] For instance, none of the individuals on the UN sanctions list appear to have been subjected to effective investigation or arrest.[48] It recommended to suspend, individuals reasonably suspected of crimes under international law from positions within the government,[49] and exclude amnesties and pardons for crimes under international law before any truth and reconciliation commission that is established.[50] JS3 recommended strengthening the legal and institutional human rights framework to ensure effective and impartial investigations and proper functioning of the justice system at all levels.[51]

20. JS3 welcomed the creation of the Special Criminal Court and noted the recent conviction of several former commanders of armed groups.[52] AI noted some challenges regarding the Special Criminal Court such as pending recruitment of qualified staff, securing sustained funding, evidence preservation and prosecutorial strategy, witness and victim protection, effective outreach and communication, and defence rights and legal aid.[53] JS4 recommended to operationalize the Special Criminal Court, and provide the necessary resources for the court to exercise its duty.[54]

21. According to APDD, the crisis has shaken the very foundations of national cohesion and coexistence.[55] JS3 regretted that a considerable number of the recommendations of the Bangui Forum on National Reconciliation had not been implemented and recommended adopting a genuine national reconciliation policy and supporting local peace and reconciliation committees and other peacebuilding initiatives.[56] JS2 recommended ensuring the implementation of the National Transition Plan and the National Plan for Recovery and Peacebuilding 2017–2021.[57]

22. JS1 recommended pressing ahead with and stepping up efforts to create the Truth, Justice, Reparations and Reconciliation Commission, guaranteeing its independence and ensuring that it had the resources it needed to function effectively.[58]

Fundamental freedoms and the right to participate in public and political life

23. JS4 noted that constitutional provisions did not incorporate the definition of freedom of religion or belief as outlined in international human rights law, such as the ICCPR, to which CAR is a party.[59] JS4 recommended to include in the Constitution the freedom of religion in accordance with the ICCPR.[60]

24. JS4 indicated that during the transition period, attacks on places of worship were regularly reported. These included grenade attacks, home-made bombs thrown into church building during worship, looting and desecration of places of worship.[61] According to JS4, the attacks of armed groups, in particular the Seleka and anti-Balaka, were directed also against religious leaders and against those who changed religion.[62] JS4 recommended to ensure that the constitution adequately guarantees freedom of religion;[63] re-establish the State's authority to prevent the restriction of freedom of religion by armed groups[64] and guarantee the right to change religion.[65] JS4 recommended to ensure that protection is extended to religious and community leaders working on peacebuilding and reconciliation initiatives who have been targeted by armed groups.[66]

25. JS3 welcomed the fact that the Government had officially recognized Muslim holidays and that the religious Muslim community is now more widely represented within the Government, which could help to further reconciliation and the peace process.[67]

26. APDD recommended launching, with support from development partners, large-scale national campaigns to raise awareness and address the issue of religiously and ethnically motivated human rights violations.[68]

27. Access-now regretted that, according to a report of 2016, freedom of expression continued to decline.[69] Access-now was further concerned by imposition of criminal penalties for defamation charges, as well as incitement to ethnic or religious hatred.[70] It recommended to seek an order from judicial authorities when restricting online freedom of expression, to enact laws that promote access to information and freedom of expression, and cooperate with UN mechanisms to promote respect for freedom of expression.[71]

28. JS1 noted that human rights activists were working in difficult conditions owing to the threats they faced and the widespread insecurity, which prevented them from travelling around to conduct their investigations. JS1 recommended creating and maintaining an environment that is favourable, in both legal and practical terms, to human rights activists, journalists and other members of civil society.[72]

Prohibition of all forms of slavery

29. JS2 reported that the sexual exploitation of children and its various manifestations, including prostitution, trafficking in children for the purposes of sexual exploitation, sexual tourism and the early and forced marriage of children, still occur in the Central African Republic.[73] JS2 also noted that children are victims of sexual exploitation in mining areas, especially in Berbérati. Furthermore, conditions in those areas are poor, and children continue to work in very dire conditions.[74] JS2 recommended drawing up a national action plan to combat sexual exploitation, including a clear definition of how policies would be managed and implemented.[75] It also recommended stepping up efforts to identify and support children in danger.[76]

3. Economic, social and cultural rights

Right to work and to just and favourable conditions of work

30. Alternatives-Afrique recommended fostering a dialogue with organizations of employees and employers, as well as with civil society, with a view to preventing violence and discrimination in the workplace.[77]

Right to an adequate standard of living

31. JS2 recalled that the country had experienced extreme poverty since 2004 and that it had come last in the Human Development Index in 2015.[78]

32. According to APDD, the conflict has had a huge, long-lasting impact on the country's entire administrative, institutional, economic and social system, resulting in a rise in extreme poverty.[79] JS3 also indicated that thousands of people who have fled the killing and sexual violence now live in very difficult conditions.[80]

33. JS4 was concerned at destruction of pharmacies, schools and other building delivering social services to local communities since the previous UPR.[81]

34. JS4 regretted that, in the North of the country, ex-Séléka imposed informal and ad hoc taxes on the movement of persons and goods.[82]

35. JS3 welcomed the new National Plan for Recovery and Peacebuilding 2017–2021 and considered that proper management of the project over the course of the five years would make it possible to tackle the challenges of poverty and underdevelopment in the country.[83]

36. APDD recommended setting up a solidarity fund to support the recovery of production sectors and help the most vulnerable members of society get back on their feet,

as well as bringing in remedial social measures to assist impoverished people, and particularly women and children in their access to health care and education.[84]

Right to health

37. JS3 noted with concern the difficulty most people have in accessing health-care services, and recommended that the Government take steps to improve the running of health-care facilities and ensure that medicines are more readily available in that respect.[85]

38. Human Rights Watch (HRW) noted the lack of access to the health service for victims of sexual violence[86] due to insecurity, poverty, and stigma.[87] HRW recommended to ensure availability of adequate medical care and psychological support for the victims.[88]

Right to education

39. JS3 regretted that education was still the country's most vulnerable sector. Already weakened prior to the conflict, this sector has been hit very hard in recent years by the drawn-out crisis affecting the country.[89]

40. CEMUC noted that despite recommendations accepted by the country regarding protection and realization of the right to education, its implementation remained limited.[90] According to CEMUC, education was not sufficiently available due to lack of school infrastructure and teaching staff,[91] and teacher's lack of adequate training.[92] In addition, CEMUC noted the difficulty that some young people have to pay tuition fees. CEMUC regretted that hundreds of schools were not operational due to a lack of equipment and insecurity.[93] JS3 recommended drawing up a national plan to improve and enhance public education in all provinces across the country, as well as rebuilding schools damaged by the conflict and building new schools. [94] CEMUC recommended to invest in school infrastructure with equitable geographical distribution; [95] provide capacity building for teaching staff; the possibility of awarding scholarships to students in need; and undertake an educational reform.[96]

41. JS3 also recommended ensuring that all children receive an education, preventing them from being enrolled in the armed forces and demobilizing those who are already enlisted so that they can be integrated back into society. Finally, JS3 recommended creating vocational training centres for young adults who are no longer able to follow the normal school programme.[97]

4. Rights of specific persons or groups

Women

42. AI stated that, during its previous review, Central African Republic accepted nine recommendations to combat sexual violence. However, the country has made very little progress on developing and applying strategies to end sexual violence.[98] JS3 noted that, contrary to the commitments made during the previous review, the Central African Republic does not sufficiently support women and girls who have been victims of sexual violence.[99] According to HRW, sexual violence includes rape, sexual slavery, physical aggression, abduction of women and girls.[100] According to the Association des femmes juristes de Centrafrique (Association of Central African Women Jurists) (AFJC), the lack of adequate measures to address the issue of sexual violence has led to a culture of impunity.[101] Furthermore, sexual violence continues to be used by members of the armed forces as a weapon of war and as a way of punishing women and girls; instances of gang rape are particularly serious.[102]

43. AFJC noted that, in general, cases of sexual violence are rarely reported. [103] According to HRW, they interviewed 257 women and 39 girls, and documented 305 cases of sexual violence by members of armed groups,[104] and only 11 victims said they attempted to file a criminal complaint. They reported powerful deterrents to seeking justice, including inappropriate response from authorities. AI indicated that it has documented cases of sexual exploitation and abuses by armed groups and UN peacekeepers.[105]

44. AFJC indicated that, despite the existing legal and institutional framework, the number of human rights violations reported to it has not declined since the previous review.[106] Between April and June 2017, for instance, in one help centre in the west of the country, AFCJ recorded 81 allegations of sexual crimes, including allegations of rape of young girls.[107] The impunity is partly due to a shortage of resources, which prevents cases of sexual violence from being effectively and thoroughly investigated.[108] In addition, victim-support programmes do not provide holistic, long-term assistance.[109]

45. HRW and AFJC recommended that the government send a public and unambiguous message to the armed group, which will show zero tolerance for sexual violence.[110] AFJC recommended creating a specialized unit within the Ministry of Justice to investigate cases of sexual violence through a multidisciplinary approach, and setting up a victim protection programme.[111] JS3 recommended providing free and confidential medical and psychosocial services to victims of sexual violence.[112] AI[113] and HRW[114] also recommend to train police, gendarmes, prosecutors, and judges in how to respond to, investigate and prosecute cases of sexual and gender-based violence; and urgently develop and implement a national strategy to combat and respond to sexual violence, including conflict-related sexual violence.

46. AFJC pointed out that the Central African Republic is in breach of United Nations Security Council resolution 1325, by not focusing on the effective participation of women in the transition process.[115] Furthermore, adequate measures have not been taken to ensure the equal participation of both sexes in the peace talks with armed groups and to incorporate a gender perspective into that process.[116] AFJC recommended that the specific needs of female ex-combatants be duly taken into consideration by fully applying Articles 8 and 13 of United Nations Security Council resolution 1325.[117] APDD recommended specific measures for the rehabilitation, reinsertion and reintegration into the community of female combatants and associated groups.[118]

47. According to the Collectif des Étudiants Musulmans Centrafricain (Muslim Students Collective of the Central African Republic) (CEMUC), although the practice is illegal, numerous young girls in the country are married before the age of 16 and stop going to school. For example, one 11-year-old girl was allegedly forced to marry a man five times her age, who forbade her to attend school. CEMUC recommended taking appropriate measures to prevent this practice.[119]

48. CEMUC also noted with regret that there is widespread discrimination against women. According to CEMUC, that discrimination is the result of a combination of cultural beliefs and socioeconomic disadvantages.[120] According to JS2, the conflict has aggravated pre-existing inequalities, and particularly gender inequalities, regarding education, employment, access to property and inheritance.[121]

Children

49. JS2 raised concerns about the impact that the conflict has had on children, who are its main victims, as successive governments have failed to meet the needs of children or to end their exploitation and the violence against them.[122] JS2 indicated that non-State armed groups, as well as members of foreign forces, including the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA), have been accused of trafficking and sexually exploiting children.[123]

50. APDD expressed concerns about the increasingly large number of children recruited for armed conflicts, which has practically doubled. APDD indicated that, according to UNICEF, in 2018, thousands of children, including girls, were involved with the armed groups.[124] APDD recommended adopting a single national framework in line with international law to assist the socioeconomic and community reinsertion and reintegration of children working with the armed forces and armed groups.[125]

51. JS2 noted that the Central African Republic has an extremely high rate of child marriages, which puts it among the ten leading countries in which this practice is most prevalent in Central Africa.[126] JS2 recommended urgently adopting the bill on the protection of children, in keeping with the provisions of the Convention on the Rights of the Child,[127] and mobilizing resources and know-how to identify, investigate and tackle the sexual exploitation of children.[128] JS2 also recommended taking measures to ensure that

child victims have access to legal remedies, as well as to comprehensive physical and psychological rehabilitation services.[129] CEMUC recommended to enforce the provisions of the Family Code and Penal Code that set a minimum age for marriage, indicting those that breach these provisions.[130]

52. GIEACPC was concerned that corporal punishment of children is lawful in home, alternative care and day care settings, schools, and penal institutions. GIEACPC recommended to enact legislation to clearly prohibit all corporal punishment of children in every setting of their lives, and repeal any legal defences and authorisations for its use.[131]

Persons with disabilities

53. JS3 recommended that the Government raise the public's awareness of the right to education for all and take account of the specific needs of children with disabilities by setting up specialized centres for their education.[132]

Minorities and indigenous people

54. COMUC noted the discriminatory treatment of Muslims in the country, and that there had been victims of various human rights violations, including murder, rape, gender based violence, abduction, extrajudicial execution, and forcible transfer of children.[133] COMUC indicated that they had recorded over 3000 cases of human rights violations against Muslims during the armed conflict, including 1130 violent attacks.[134]

55. COMUC also regretted that Muslims are discriminated in their access to and participation in the public sphere.[135] CEMUC underlined that the discrimination is present in public institutions such as schools and hospitals,[136] and that discrimination also affected all categories of ethnic minorities and socially disadvantaged people.[137]

56. COMUC recommended that Central African Republic improve reconciliation efforts between Muslim, Christian, and other minority group by ensuring proper and meaningful consultation and proportionate representation in all reconciliation efforts. It also recommended to implement and enforce an anti-discrimination law that will protect individuals and groups from any distinction; and instruct law enforcement to apply the law without distinction.[138]

57. CEMUC recommended introducing inclusion and diversity policies for all ministries, government bodies, public institutions, and law-enforcement entities in order to ensure that minority groups are represented and participate at all levels.[139] CEMUC also recommended promoting diversity and tolerance for other beliefs within the education system.[140]

Migrants, refugees, asylum seekers and internally displaced person

58. JS4 noted the increasing number of internally displaced persons due to regular clashes between armed groups, including in the north eastern, central east, and north west regions,[141] and that the majority of IDPs sought refuge in Paoua, which has resources only for a small population, and the arrival of thousands of people will strain resources greatly and may ultimately cause a rise in tensions between the host community and IDPs.[142]

59. JS4 was concerned that IPDs compounds have been attacked such as the compound of Church Fatima in 2014, causing maximum damage.[143]

60. Jeunesse Unie pour la Protection de l'Environnement et le Développement Communautaire (United Youth for the Protection of the Environment and Community Development) (JUPEDEC) noted that the Government has not taken the necessary measures to protect humanitarian workers assisting displaced people,[144] and that there is no safe and uninterrupted humanitarian corridor.[145] JUPEDEC recommended strengthening respect for and protection of the rights of humanitarian workers;[146] improving road conditions in the south-east and other areas of the country in order to facilitate access to people in need of humanitarian assistance; protecting humanitarian and medical workers in areas under siege or hard to access while ensuring strict compliance with humanitarian principles, and[147] raising armed groups' awareness of the role of humanitarian organizations.[148] JUPEDEC also recommended creating a national entity made up of civil

society representatives to conduct consultations on humanitarian and development issues, and encouraging international organizations to cooperate with local civil society organizations.[149]

61. JS3 recommended putting in place, with the support of the international community, a programme to build shelters for displaced persons.[150]

Notes

[1] JS4 para. 3 caritas para. 8.
[2] ICAN, paras. 3–5.
[3] CGNK page 3.
[4] JS1, para. 6.
[5] CGNK page 4.
[6] AI, page 6.
[7] JS4 para. 4.
[8] APDD, para. 4.
[9] APDD, para. 5.
[10] JS4 paras.33–37.
[11] JS4, para. 48.
[12] JS4, para. 3.
[13] Alternatives-Afrique, page 9.
[14] CEMUC, para. 4.7.5.
[15] JS1, para. 53.
[16] Alternatives-centrafrique, paras. 15–23.
[17] Alternatives-Afrique page 9.
[18] AI page 2.
[19] JS1 para. 5.
[20] JS1, para. 3–6, AI page 6, CGNK page 4.
[21] JS1, para. 10.
[22] JS1, para. 11.
[23] JS1, paras. 11–12.
[24] JS1, para. 12.
[25] JS1, para. 13.
[26] JS1, para. 13.
[27] JS1, para. 13.
[28] JS4 para. 15.
[29] JS3 para. 19.
[30] JS1, para. 18.
[31] JS1, para. 14.
[32] JS1, para. 40.
[33] JS1, para. 18.
[34] AI page 3.
[35] AI page 6.
[36] AI, page 7.
[37] JS1, para. 41.
[38] JS1, para. 33.
[39] AI page 7.
[40] JS3, para. 14.
[41] JS3, para. 15.
[42] JS3, paras. 16–17.
[43] AI, pages 3–4.
[44] AI page 6.
[45] JS1, para. 45.
[46] JS1, para. 45.
[47] AI page 3.
[48] AI, para. 17.
[49] AI, para. 38.
[50] AI page 7.
[51] JS3, paras. 34–36.
[52] JS3, para. 34.
[53] AI, pages 3–4.
[54] JS4, para. 41.

[55] APDD, para. 25.
[56] JS3, para. 10.
[57] JS2 para. 17.
[58] JS1, para. 24.
[59] JS4, para. 17.
[60] JS4, para. 22.
[61] JS4 para. 19.
[62] JS4, para. 33.
[63] JS4, para. 22.
[64] JS4, para. 29.
[65] JS4, para. 32.
[66] JS4, para. 37.
[67] JS3, para. 7.
[68] APDD, para. 30.
[69] Access-now, para. 3.
[70] Access-now, para. 9.
[71] Access-now, para. 10.
[72] JS1, para. 49.
[73] JS2, para. 3.
[74] JS2 para. 11.
[75] JS2, para. 17.
[76] JS2 para. 35.
[77] Alternatives-Afrique, page 9.
[78] JS2 para. 4.
[79] APDD para. 11.
[80] JS3, para. 3.
[81] JS4 para. 19.
[82] JS4 para. 23.
[83] JS3, para. 7.
[84] APDD, paras. 12 and 14.
[85] JS3 para. 43.
[86] HRW, paras. 11–17.
[87] HRW, para. 18.
[88] HRW page 5.
[89] JS3, para. 19.
[90] CEMUC, para. 3–1.
[91] CEMUC, para. 3–3.
[92] CEMUC, para. 3–4.
[93] CEMUC, para. 3–4.
[94] JS3, para. 27
[95] CEMUC, paras. 3–9–1 and 3.9.2.
[96] CEMUC, para. 3–9–9.
[97] JS3, paras. 28–33.
[98] AI page 2.
[99] JS3, paras. 41–44.
[100] HRW, para. 3.
[101] AFSJ, para. 1.1.
[102] AFSJ, para. 2.4.
[103] AFSJ, para. 2.5.
[104] Human rights watch, para. 8.
[105] AI, para. 6.
[106] AFSJ, para. 1.1.
[107] AFSJ, para. 2.5.
[108] AFSJ, para. 28.
[109] AFSJ, para. 2.6.
[110] HRW, para. 28, AFSJ, para. 2.10.1,2.
[111] AFSJ, para. 2.10.
[112] JS3, paras. 41–44.
[113] AI, para. 16.
[114] HRW, page 6.
[115] AFJC, para. 3.1.
[116] AFJC, para. 3.1.2.
[117] AFJC, para. 3.2.1.

[118] Academia para. 24.
[119] CEMUC, paras. 4–6.
[120] CEMUC, paras. 4–6.
[121] JS2 para. 7.
[122] JS2 para. 15.
[123] JSTM2, para. 11.
[124] APDD, para. 6.
[125] APDD, para. 22.
[126] JS2, para. 13.
[127] JS2, para. 24.
[128] JS2, para. 35.
[129] JS2 page 9.
[130] CEMUC para. 4.7.9.
[131] GIEACPC, paras. 2–3.
[132] JS3, para. 32.
[133] COMUC, para. 2–2.
[134] COMUC paras. 22 and 23.
[135] COMUC, para. 2–4.
[136] CEMUC, para. 4–3.
[137] CEMUC, para. 4–7–3.
[138] COMUC, para. 3.
[139] CEMUC, para. 4–7–3.
[140] COMUC, para. 4–7.
[141] JS4 paras. 43–48.
[142] JS4 para. 46.
[143] JS4 para. 19.
[144] JUPEDEC, para. 3–2.
[145] JUPEDEC, para. 4.
[146] JUPEDEC, para. 3–8–1.
[147] JUPEDEC para. 4.9–1.
[148] JUPEDEC, para. 4–9–3.
[149] JUPEDEC, para. 5–7–4.
[150] JS3 para. 44.